



PUBLIC HEARINGS IN THE M.D. OF BIGHORN

A GUIDE TO SUBMISSIONS/PRESENTATIONS

In Public Hearings, Council must hear from:

- any person, group of persons or person representing them, who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by Council; and
- may hear from any other person who wishes to make representations and whom the Council agrees to hear.

There are two ways to be "heard" at a Public Hearing: by actually giving an oral presentation to Council and those attending the Hearing, or by providing a written submission (letters, Technical Documents, petitions or other document). Persons considering an oral presentation or providing a written submission to a Public Hearing should be aware of the following guidelines:

General

All materials submitted to the M.D. for a Public Hearing including written submissions and materials used in an oral presentation (maps, videos, slides, Power Point and other media) must have the name of the individual(s) or group submitting the material clearly printed on same.

All materials submitted for the Public Hearing become property of the M.D. as exhibits to the Public Hearing.

Written Submissions (including Technical Documents and Petitions)

All written submissions will be made available for inspection to the public, upon receipt by the M.D. The M.D., in its sole discretion, may circulate any written submissions received, to any internal or external department or agency it deems appropriate.

Technical Documents can be generally categorized as professional documents, such as engineering reports, consultants' studies, environmental impact assessments, geotechnical investigations, etc. Technical Documents shall be submitted in both hard copy format as well as electronic format compatible with the MD's computer software.

Petitions are as defined by the Municipal Government Act (MGA), and must follow the MGA guidelines, to be considered and treated as official petitions. Persons signing petitions are deemed to have had their position advanced by the petition and (other than the designated spokesperson) they may not speak at the Public Hearing, unless they remove their names from the petition prior to the start of the Public Hearing.

Technical Documents, petitions and other written submissions **in support** of an application shall be submitted to the M.D.'s Chief Administrative Officer not less than fifteen (15) days prior to the Public Hearing.

Technical Documents, petitions and other written submissions which are **not in support** of an application shall be submitted to the M.D.'s Chief Administrative Officer not less than seven (7) days prior to the Public Hearing.

Council may, in its sole discretion, accept written submissions at the Public Hearing on whatever terms or conditions Council deems appropriate including, but not limited to, an adjournment of the Public Hearing to another date.

Individuals or groups who want to provide written submissions to Council for the Public Hearing may deliver a hard copy of the written submission to the M.D.'s Chief Administrative Officer no later than seven (7) days in advance of the Public Hearing.

Anyone intending to submit any Technical Documentation or other written submissions **at the Public Hearing** shall require the approval of Council to do so: those persons shall ensure that there are not less than fifteen (15) hard copies available for distribution. Individuals or groups may submit written submissions, as part of their presentation, at the Public Hearing by providing not less than fifteen (15) copies of their written submissions to Council at the start of their presentation.

Oral Presentations

Persons addressing Council orally must provide their name, location of residence, an indication of whether they speak on their own behalf or for another person/group, and must address the Chair when responding to questions or providing information. A person may be authorized to speak on behalf of another, if the authorization is provided in writing, and the person being spoken for is at the Public Hearing.

Persons speaking on their own behalf may speak for a maximum of five (5) minutes; persons speaking as a spokesperson for a group or petition may speak for a maximum of ten (10) minutes. The Applicant for a bylaw or resolution is provided up to twenty (20) minutes to make their presentation. After any presentation is concluded, any Councillor may ask the presenter relevant questions.

Council reserves the right to abbreviate presentations that are repetitious.

NOTE: All persons making representations are asked to identify themselves, and all submissions received become a matter of public record. Because copies of submissions could be released to the general public, those persons providing them may wish to limit the disclosure of personal information (e.g., phone number, fax number, address, email address, etc.).

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PUBLIC HEARING PROCEDURES

(Pursuant to Bylaw 09/02)

Public Hearings are Council or Committee meetings held for the purposes of hearing matters as prescribed by the Municipal Government Act or other legislation.

The following outlines, in brief, the procedures to be followed in a Public Hearing: these are provided as a general guide, and have no legislative sanction. Please refer to M.D. Bylaw 09/02 for the full details of Public Hearing requirements and procedures.

PROCEDURES

1. **Motion to go into Public Hearing**: The Chair will call for a motion from Council to go into the Public Hearing, and ask if anyone is present to speak to the proposed bylaw/resolution.
2. **Outline of Public Hearing Procedures**: The Chair will outline the Public Hearing procedures. Providing that a person or persons have indicated their intent to speak to the proposed bylaw/resolution, the Public Hearing Procedures will be as per #3 - #9 below. In situations where no person has indicated an intent to speak to the proposed bylaw/resolution, the Public Hearing Procedures will commence at #10 below.
3. **Introduction by Administration**: A member or members of M.D. Administration will introduce the proposed bylaw/resolution, provide information on the notice of Public Hearing (how and where the Hearing was advertised; direct notification of affected landowners, if applicable; etc.), and indicate what material, such as Technical Documents, letters, Provincial government department correspondence, submissions from neighbouring municipalities, e-mails, etc., had been received in response to the notices provided. After Administration's introduction is presented, any Councillor may ask Administration relevant questions.
4. **Introduction by Applicant**: Should there be an Applicant for the bylaw/resolution, the Applicant will be provided with a maximum of twenty (20) minutes to present their application. After the Applicant's introduction is presented, any Councillor may ask the Applicant relevant questions.
5. **In Favour**: The Chair will then call for anyone present who wishes to speak in favour of the proposed bylaw/resolution. Persons speaking on their own behalf may speak for a maximum of five (5) minutes; persons speaking as a spokesperson for a group or petition may speak for a maximum of ten (10) minutes. After any presentation in favour is concluded, any Councillor may ask the speaker relevant questions.
6. **In Opposition**: The Chair will then call for anyone present who wishes to speak in opposition to the proposed bylaw/resolution. Persons speaking on their own behalf may speak for a maximum of five (5) minutes; persons speaking as a spokesperson for a group or petition may speak for a maximum of ten (10) minutes. After any presentation in opposition is concluded, any Councillor may ask the speaker relevant questions.
7. **Rebuttal by Applicant/Those in Favor**: The Applicant and those who spoke in favour will be given an opportunity to provide rebuttal comments to those points raised by those who spoke in opposition. Rebuttal comments are restricted to addressing new points raised by those who spoke in opposition. After any rebuttal presentation is concluded, any Councillor may ask the speaker relevant questions.
8. **Final Questions of Administration**: Councillors may ask any final relevant questions of Administration.
9. **Closure of the Public Hearing**: The Chair will then close the Public Hearing, noting that no further written or oral submissions will be received, on the bylaw/resolution, by Council.
10. **No one present to speak**: If, at the commencement of the Public Hearing, no person indicates an intent to speak to Council, the following procedures will be followed:
 - Council may hear an introduction from Administration.
 - Councillors may ask Administration relevant questions.
 - The Chair then closes the Public Hearing.

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