

# PROPOSED

C2021-1115  
ATTACHMENT 1

## BYLAW NUMBER 54M2021

### BEING A BYLAW OF THE CITY OF CALGARY TO PROVIDE FOR CONTINUITY OF COUNCIL'S CITIZEN APPOINTMENTS TO BOARDS COMMISSIONS AND COMMITTEES DURING ELECTION YEARS

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**WHEREAS** Council appoints citizens to a variety of Boards, Commissions, and Committees every year during the annual Organizational Meeting of Council as members;

**AND WHEREAS** many appointments typically expire at the start of a subsequent annual Organizational Meeting date in the year in which a member's term expires;

**AND WHEREAS** in the year in which a General Election is held there may be a delay of some weeks in the annual appointments being made to Boards, Commissions, and Committees due to the timing of the expiration of member appointments, the election and the ability of a newly elected Council to meet and decide on the appointment of members to the Nominations Committee, which makes recommendations on member appointments to Council;

**AND WHEREAS** there may be Boards, Commissions, and Committees that need to meet and conduct business during this period of delay and providing for continuity until successors are appointed would minimize the risks of a governance gap for these Boards, Commissions, and Committees.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

#### Short Title

1. This bylaw may be cited as the "Election Year Continuity of Council's Citizen Appointments Bylaw".

#### Definitions

2. In this Bylaw:
  - (a) "Board, Commission, or Committee" means:
    - (i) a Board, Commission, or Committee established by The City of Calgary Council under the *Municipal Government Act*, RSA 2000, c. M-26, or any other statute that permits Council to establish a Board, Commission or Committee, and to which Council makes one or more appointments (a City BCC); and
    - (ii) a Board, Commission, or Committee not established by The City of Calgary Council but to which Council may appoint one or more members (an external BCC);

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but excludes all Business Improvement Areas or City of Calgary Wholly-Owned Subsidiaries;

- (b) “*Council*” means the mayor and councillors duly elected in The City of Calgary;
- (c) “*general election*” means an election held under the *Local Authorities Election Act* for all the members of an elected authority to fill vacancies caused by the passage of time;
- (d) “*Local Authorities Election Act*” means the *Local Authorities Election Act*, RSA 2000, c L-21 as amended or replaced from time to time;
- (e) “*member*” means a citizen who has been appointed to a *Board, Commission, or Committee* by *council* as a public member but excludes members of *council* and City administration appointees; and
- (f) “*Organizational Meeting*” means the annual meeting of *council* required under section 192 of the *Municipal Government Act*, RSA 2000, c. M-26.

### Continuity of Citizen Appointments

3. Any *council* appointed *member* of a *Board, Commission, or Committee* whose term expires on the day of *council’s Organization Meeting* in the year in which a *general election* is held under the *Local Authorities Election Act* may continue to serve until that *member’s* successor is appointed by *council*.
4. The service of a *member* beyond the *member’s* appointed term under this bylaw does not count towards any limit on the length of service for that *member*.
5. Where any provision of this bylaw governing a *member’s* term conflicts with any provincial or federal statute, or legal instrument made under any provincial or federal statute, the provincial or federal statute or legal instrument prevails to the extent of the conflict.

**Coming into Force**

6. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_