



**AGENDA**  
**SPECIAL MEETING OF THE TOWN OF BARRHEAD COUNCIL TO BE**  
**HELD MONDAY, DECEMBER 16, 2024 AT 5:30 P.M.**  
**IN THE TOWN OF BARRHEAD COUNCIL CHAMBERS**

*Barrhead....a quality community....giving a quality lifestyle*

Present

Absent

Others Present

1. Call to Order

2. New Business

(a) 2<sup>nd</sup> and 3<sup>rd</sup> Reading of Bylaw 08-2024 the Neutral Space Bylaw

3. Adjournment

# REQUEST FOR DECISION

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**To:** Town Council  
**From:** Collin Steffes, CAO  
**cc:** File  
**Date:** December 16, 2024  
**Re:** Neutral Space Bylaw (Bylaw 08-2024)

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**1.0 Purpose:**

For Council to provide second and third reading of the Neutral Space Bylaw, in accordance with the requirements of the *Municipal Government Act (MGA)*, Sec 235 (1).

**2.0 Background and Discussion:**

On July 26, 2024, the Town office received a petition to ensure crosswalks and flags on public property remain neutral - please refer to the attachment containing the wording of the petition presented to Council.

At the September 3, 2024 Council Meeting, the petition was declared to be sufficient by the CAO, meeting the requirements of the *MGA*. Council accepted the petition (Resolution No. 268-24) and directed administration to prepare a bylaw to address it. As required per Sec 233 (3) of the *MGA*, Council gave first reading of Bylaw 08-2024 on September 30, 2024.

Further, once first reading has been provided, Sec 233 (4) of the *MGA* indicates that Council must either (a) pass the bylaw within 30 days of receiving first reading, or (b) administer a public vote by electors on the matter within 90 days of the bylaw receiving first reading. As such, on September 30, 2024, Council directed administration to proceed with the requirement for a plebiscite (public vote) on proposed Bylaw 08-2024 – Neutral Space Bylaw (Resolution No. 295-24).

The plebiscite occurred on December 2<sup>nd</sup>. The results were 653 (57%) in favor and 492 (43%) opposed to the proposed bylaw. Approximately one-third of eligible voters took part in this public vote.

Because a majority of electors voted in favour of the Neutral Space Bylaw, Sec 235 (1) of the *MGA* now requires that the bylaw must be passed by Council within 30 days after the date of the vote, without any alteration affecting its substance.

Administration recommended amending grammatical errors in the bylaw as follows:

- Correct spelling of the word 'neutral' in the heading.
- Delete last page 7 as it is blank.

Council is now being asked to provide second and third reading to Bylaw 08-2024 in accordance with the requirements of the *Municipal Government Act*.

### **3.0 Alternatives:**

No alternatives are suggested as the requirements of the *Municipal Government Act* are clear in directing Council to pass the bylaw, in accordance with a majority decision of a public vote.

Council's only discretion is the timing of passing the bylaw, which must occur within 30 days after the public vote.

### **4.0 Financial Implications:**

Not applicable

### **5.0 Interdepartmental Implications:**

Not applicable.

### **6.0 Senior Government Implications:**

Not applicable.

### **7.0 Political/Public Implications:**

Town Council is adhering to the requirements as stated in the *Municipal Government Act*.

### **8.0 Attachments:**

- 8.1 Wording found on the Petition by Electors form.
- 8.2 Draft Bylaw 08-2024 – Neutral Space Bylaw

### **9.0 Recommendations**

That Council give second reading to Bylaw 08-2024 – Neutral Space Bylaw.

That Council give third reading to Bylaw 08-2024 – Neutral Space Bylaw.

(Original signed by the CAO)  
Collin Steffes  
CAO

RECEIVED  
JUL 26 2024

**PETITION BY ELECTORS**

To: The Council of the Town of Barrhead, in the Province of Alberta

The undersigned persons, being electors of the Town of Barrhead, in the Province of Alberta, hereby petition Council to:

**MAKE A BYLAW ENSURING PUBLIC BUILDINGS, CROSSWALKS AND FLAGS ON PUBLIC PROPERTY REMAIN NEUTRAL, ADHERING TO THE FOLLOWING:**

CROSSWALKS

Crosswalks will only be painted in the standard white striped pattern ("continental" or "ladder") between two parallel lines.

FLAGS

Only the national flags, provincial flag of Alberta, or Town of Barrhead flags are raised on flagpoles on public property or facilities.

There will be no decorations on Town crosswalks or displaying of flags supporting political, social, or religious movements or commercial entities.

No grandfathering of any existing crosswalks or flags that contravene the new bylaw will be authorized.

BYLAW NO. 08-2024  
NEUTRUAL SPACE BYLAW

**BEING A BYLAW OF THE TOWN OF BARRHEAD IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ENSURING PUBLIC BUILDINGS, CROSSWALKS AND FLAGS ON PUBLIC PROPERTY REMAIN NEUTRAL IN THE TOWN.**

**WHEREAS** pursuant to Section 7 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto, the Council may pass a bylaw respecting the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or place that is open to the public; and the enforcement of bylaws, and

**WHEREAS** pursuant to Section 232 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto, Electors may petition for a new bylaw, and

**WHEREAS** on July 26, 2024 the Town of Barrhead received a petition, hereby petitioning Council to:

- Ensuring public buildings, crosswalks and flag on public property remain neutral, adhering to the following:
  - Crosswalks will only be painted in the standard white striped pattern (“continental” or “ladder”) between two parallel lines.
  - Only the national flags, provincial flag of Alberta, or Town of Barrhead flags are raised on flagpoles on public property or facilities.
  - There will be no decorations on Town crosswalks or displaying of flags supporting political, social, or religious movements or commercial entities.
  - No grandfathering of any existing crosswalks or flags that contravene the new bylaw will be authorized, and

**WHEREAS** a copy of the petition by electors, as received on July 26, 2024 is attached and forms part of this bylaw; and

**WHEREAS** during the September 3, 2024 Council Meeting, the CAO for the Town of Barrhead declared the petition to be sufficient and satisfied the requirements of the Act; and

**WHEREAS** pursuant to Section 233 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto, within 30 days after the day on which the Chief Administrative Officer declares a petition submitted under Section 232 to be sufficient, council must give first reading of a bylaw dealing with the subject matter of the petition and any other matters council considers necessary; and

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**WHEREAS** pursuant to Section 233 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto if a bylaw is not required to be advertised under this or another enactment, Council must within 30 days after the bylaw receives 1<sup>st</sup> reading pass the bylaw or, fix a date that is within 90 days after the bylaw receives 1<sup>st</sup> reading for a vote of the electors on the bylaw; and

**WHEREAS** pursuant to Section 239 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto, if a vote of the electors is conducted on a bylaw or resolution, the council may refuse any further petition on the same or similar subject filed within one year after the date of the vote; and

**WHEREAS** pursuant to Section 240 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto, a bylaw or resolution that Council was required to pass as a result of a vote of the electors may be amended or repealed only if,

- a) a vote of the electors is held on the proposed amendment or repeal and the majority of the electors voting vote in favour of the proposed amendment or repeal
- b) three years have passed from the date that the bylaw or resolution was passed and the proposed amendment or repeal is advertised, or
- c) ten years have passed from the date that the bylaw or resolution was passed.

**NOW THEREFORE**, the Council of the Town of Barrhead, in the Province of Alberta, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

**1. SHORT TITLE**

- 1.1 This Bylaw may be cited as the “Neutral Space Bylaw.”

**2. DEFINITIONS**

- 2.1 **2SLGBTQ+** means an acronym representing a broad spectrum of sexual orientations and gender identities, including Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and others.
- 2.2 **Act** means the *Municipal Government Act, R.S.A. 2000, Chapter M-26* as amended.
- 2.3 **Chief Administrative Officer (CAO)** means the person appointed as chief administrative officer of the Town of Barrhead or designate.
- 2.4 **Commercial Entity** means any individual, organization or business engaged in

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activities primarily for the purpose of generating profit or providing goods and services in exchange for financial compensation. This includes but not limited to, corporations, partnerships, sole proprietorships, franchises and other business organizations that operate in a marketplace, whether publicly or privately.

- 2.5 **Continental** means the pattern drawn or illustrated on Crosswalks as set out in the following image:



- 2.6 **Council** means the municipal Council for the Town of Barrhead

- 2.7 **Crosswalk** means

(a) that part of a Municipal Road at an intersection included within the lateral line of the sidewalks on opposite sides of the Municipal Road measured from the curbs or in the absence of curbs, from the edges of the Municipal Road; or

(b) any part of a Municipal Road at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs, by lines or by other markings on the road surface.

- 2.8 **Decorations** means any decorative or artistic items or illustrations, aside from the permitted Continental and Ladder patterns.

- 2.9 **Facilities** means any buildings, structures, or land owned, operated, or maintained by the Town of Barrhead for public use or municipal purposes. This includes, but is not limited to, recreational centers, parks, public works buildings, community halls, libraries, administrative offices, aquatics centers, sports fields, playgrounds, parking lots, and other infrastructure or spaces designated for public service, municipal operations, or community events.

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- 2.10 **Ladder** means the pattern drawn or illustrated on Crosswalks as set out in the following image:



- 2.11 **Municipal Road** means a road as defined in the Act which is under the direction, control and management of the Town.
- 2.12 **Neutral** means the state of not supporting or favouring either side in a conflict, dispute, or debate. It implies impartiality, objectivity, and an absence of bias or preference toward any specific group, viewpoint, ideology, or outcome.
- 2.13 **Political Movement** means an organized effort by a group of individuals or organizations to influence, advocate for, or achieve specific political goals or changes within a government or political system. This includes, but is not limited to, movements related to political parties, electoral campaigns, legislation advocacy, or governmental policy changes, whether at the municipal, province, national or international level.
- 2.14 **Public Building** means a structure with a roof and walls, standing more or less permanently in one place, designed for human occupancy, habitation, or use, such as for living, working, or storing materials, solely owned by the Town of Barrhead and located on Public Property.
- 2.15 **Public Property** means land located within the Town of Barrhead for which the Town of Barrhead is the sole registered owner, and that the Town owns and utilizes for the benefit and use of the public.
- 2.16 **Religious Movement** means an organized effort by a group of individuals or organizations to promote, practice or advance specific religious beliefs, practices or ideologies. This includes movements that aim to spread religious teachings, establish religious norms in public or private life, or advocate for policies or actions based on religious doctrines or principals.
- 2.17 **Social Movement** means a collective effort by a group of individuals or organizations to bring about or resist social change or promote specific values or norms. This includes movements aimed at addressing societal issues such as civil rights, environmental protection, gender equality, pro-life, racial equality, 2SLGBTQ+ right and other causes that seek to influence societal attitudes, behaviours or practices.



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2.18 **Town** means the municipal corporation of the Town of Barrhead or the geographical area within the municipal boundaries of the Town of Barrhead, as the context may require.

**3 CROSSWALKS AND FLAGS**

3.1 Crosswalks will only be painted in the standard white striped pattern (meaning Continental, or Ladder patterns) between two parallel lines.

3.2 No Decorations will be permitted on Crosswalks.

3.3 Only national flags, the provincial flag of Alberta, or Town of Barrhead flags are to be raised on flagpoles on Public Property or facilities.

3.4 No flags displaying or supporting Political Movements, Social Movements, or Religious Movements, or Commercial Entities, shall be displayed on flags on Public Property or facilities.

3.5 At the time this Bylaw comes into effect, any Crosswalks or flags located in the Town that contravene sections 3.1, 3.2, 3.3, and 3.4 of this bylaw shall be removed, and no grandfathering shall be authorized.

**4 ENFORCEMENT**

4.1 In the event of a contravention of this bylaw, the Chief Administrative Officer (CAO) or their designate is authorized to remove any non-compliant items from Public Property or Public Buildings, with any costs incurred by the Town in removing the items constituting a debt owing to the Town.

**5 SEVERABILITY**

5.1 If any part of this bylaw is deemed invalid, the invalid portion shall be severed, and the remaining parts of the bylaw will continue to be in force.

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6 **EFFECTIVE**

6.1 This Bylaw shall take come into force and effect upon third and final reading.

Read a first time this  30  day of  September , A.D., 2024.

TOWN OF BARRHEAD

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Mayor, Dave McKenzie

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CAO, Edward LeBlanc

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2024.

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Mayor, Dave McKenzie

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CAO, Edward LeBlanc

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2024 and passed.

TOWN OF BARRHEAD

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Mayor, Dave McKenzie

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CAO, Edward LeBlanc

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NEUTRUAL SPACE BYLAW