



VILLAGE OF GLENWOOD
Regular Council Meeting

Agenda

Glenwood Community Hall (90 Main Avenue)
Thursday, January 11, 2024 7:00pm

1. Call to Order – 7:00 pm
2. Approval of Agenda
3. Approval of Minutes of the Regular Meeting of December 14, 2023
4. Delegations
 - a) Twin Rivers Country Economic Development Society – presentation 7:15 pm.
5. Items for Discussion and/or Action:
 - a) Hill Spring Park – budget request for an additional \$500 increase to \$2000/year.
 - b) ORRSC has notified the Village of a change in planner. Ryan Dyck will be serving the Village in this capacity.
 - c) Request from Chief Mountain Regional Solid Waste Services Commission to appoint an alternate to the Commission to serve in the absence of the delegate.
 - d) Grant funding left to be expensed on the Skating Rink is approximately \$9000.
6. Councillor Reports:
 - a) Mayor Linda Allred
 - b) Deputy Mayor Mark Peterson
 - c) Councillor Doral Lybbert
 - d) Councillor Sandy Lybbert
 - e) Councillor Brian Wickhorst
7. a) CAO Report – year end is currently underway.
8. Correspondence:
 - a) Letter from Municipal Affairs Minister McIver – Local Government Fiscal Framework
 - b) Letter from Environment Minister Schulz – Drought update
 - c) Request from Utility Safety Partners regarding damage prevention legislation
9. Closed Session –
 - a) *Freedom of Information and Protection of Privacy Act* – Section 23(1)(a) Local public body confidences – draft legislation
 - b) *Freedom of Information and Protection of Privacy Act* – Section 24(1) Advice from Officials
10. Adjournment.

VILLAGE OF GLENWOOD
Thursday, December 14, 2023 Minutes

The Minutes of the Regular Meeting of Council held at the Glenwood Community Hall on Thursday, December 14, 2023 at 7:00 PM.

In attendance: Mayor Allred, Deputy Mayor Peterson, Councillor Doral Lybbert, Councillor Sandy Lybbert, Councillor Brian Wickhorst

Officials: Chief Administrative Officer Cynthia Vizzutti.

<u>1. Call to Order</u>	Mayor Allred called the Thursday, December 14, 2023 regular Council meeting to order at 7:01 pm.
<u>2. Agenda Approval</u> <u>2023.12.14.137</u>	MOVED by Deputy Mayor Peterson to approve the agenda, as presented. Carried.
<u>3. Minutes of November 9, 2023 Regular Meeting</u> <u>2023.12.14.138</u>	Moved by Councillor Wickhorst to approve the minutes of the regular Council meeting of October 19, 2023 as presented. Carried.
<u>4 a) – RCMP Report</u>	Corporal Fraser of the RCMP – Cardston Detachment attended Council and presented the Quarterly Reports for July 1-September 30, 2024.
<u>4 b) i) Budget presentation</u> <u>2023.12.14.139</u>	The three (3) year operating and capital budget for the years 2024-2026 was presented to Council, by Chief Administrative Officer Vizzutti. Moved by Councillor Sandy Lybbert to approve the three (3) year operating and capital budget for the years 2024-2026, and that the Mayor and Chief Administrative Officer be authorized to sign the budget documents, on behalf of the Village of Glenwood. Carried.
<u>4 b) ii) Bylaw 245-2023 B – Rates and Fees Bylaw</u> <u>2023.12.14.140</u> <u>2023.12.14.141</u>	Moved by Councillor Sandy Lybbert that Bylaw 245-2023B being a bylaw to establish service fees be given first reading. Carried. Moved by Councillor Wickhorst that Bylaw 245-20213B be given second reading. Carried.
<u>2023.12.14.142</u> <u>2023.12.14.143</u>	Moved by Deputy Mayor Peterson that Bylaw 245-2023B be given three readings at this meeting. Carried Unanimous. Moved by Councillor Doral Lybbert that Bylaw 245-2023B be given third and final reading and be duly signed by the Mayor and the Chief Administrative Officer. Carried.
<u>5. a)-d) Items for discussion and action</u> <u>2023.12.14.144</u> <u>2023.12.14.145</u>	Moved by Mayor Allred that the Administration office be closed December 27 and 28, 2023. Carried. Moved by Councillor Sandy Lybbert the Village purchase a turkey or ham for staff members Cynthia Vizzutti, Perry Hunsperger, Janet Edwards and IT Tech Chris Van Dulken. Carried. Chief Administrative Officer Vizzutti informed Council the Small Community Grants Program does not cover training for an existing employment position.

Policy A09-.2023
2023.12.14.146

Moved by Councillor Wickhorst to approve Policy A09.2023 Cheque Writing and Electronic Payments Policy. **Carried.**

Council Reports

- a) Mayor Allred attended the FCSS Convention in Edmonton November 21-23, 2023. Mayors and Reeves Meeting for December was cancelled.
- b) Deputy Mayor Peterson attended the ORRSC Organizational Meeting.
- c) Councillor Doral Lybbert had no report.
- d) Councillor Sandy Lybbert held a discussion regarding damage done to the cemetery grounds by vehicles and she asked the members of the Cemetery committee to limit access to the established roadways.
- e) Councillor Wickhorst reported the solid waste commission has completed their 5 year budget projections and advised there will be mandated recycling in the near future.

6. CAO Report

Chief Administrative Officer's Report is attached to the agenda. The soffits have been replaced in the community hall, the new windows and door are installed in the Administration Office, Candu has finished the installation of the new technology at the new well and it is talking to the water plant. Creation of land files will be the next project in 2024.

7. Financial Reports

The Cheque Listing from November 3, 2023 to December 12, 2023 (Cheque No. 20230328 to 20230371) was presented to Council for their information.

8. Closed Session
2023.12.14.147

MOVED by Mayor Allred Council to move into Closed Session at 8:55 p.m. as per the *Freedom of Information and Protection of Privacy Act* Section 23(1)(a) Local public body confidences – draft legislation. **Carried.**

8.. Closed Session
2023.12.14.148

Moved by Councillor Sandy Lybbert to come out of Closed Session at 9:45 p.m. **Carried.**

12. Adjournment
2023.10.19.136

MOVED by Councillor Doral Lybbert to adjourn the meeting at 9:46 p.m. **Carried.**

Meeting Chair

Chief Administrative Officer

CAO

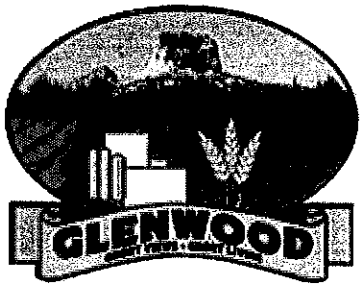
From: Office
Sent: December 14, 2023 5:12 PM
To: 'Scott Shipley'
Subject: RE: DELEGATION FOR JANUARY COUNCIL MEETING

Good Evening Scott:

Our next meeting is January 11 at the Community Hall. I have booked the Twin Rivers Country Economic Development Society for a presentation to Council at 7:15pm. We look forward to seeing you then.

Merry Christmas and all the very best in the New Year.

Cynthia Vizzutti
Chief Administrative Officer CLGM, CTAJ
Village of Glenwood
Box 1084, 59 Main Ave.
Glenwood, AB. T0K 2R0
cao@glenwood.ca
403-626-3233



From: Scott Shipley <twinriverscountry@gmail.com>
Sent: December 14, 2023 12:57 PM
To: Office <office@glenwood.ca>
Subject: DELEGATION FOR JANUARY COUNCIL MEETING

Hi Cynthia,
Would the Twin Rivers Country Economic Development Society be able to book a delegation to the January Council meeting? We would like to share a little of what we do and what we can do to support the Village Council.

Have an amazing day
Scott Shipley
Twin Rivers Country
Economic Development Society

P.O. Box 1102
Glenwood AB T0K 2R0
www.Twinriverscountry.ca
<https://www.facebook.com/gateway2waterton/>
<https://www.facebook.com/groups/2204154456262156>



CAO

From: Spring Glen Park <springglenparkfun@gmail.com>
Sent: December 18, 2023 3:23 PM
To: CAO
Subject: \$500 increase request

Dear Village of Glenwood Council,

The Spring Glen Park Association board has reviewed our financial situation for the 2024 operating year and would like to request a \$500 increase to the requisition from the Village of Glenwood to \$2,000/year.

We find that as the financial support from other Alberta Government agencies is disappearing and/or becoming less reliable, we need to ensure that we have enough annual revenue to continue operations at Spring Glen Park for many years into the future. Aging infrastructure at the campground requires ongoing maintenance and replacement, as safety concerns are brought to our attention. Similar requests have also been made to the Village of Hill Spring and Cardston County.

We sincerely appreciate your ongoing support over the past almost 40 years.

Thanks,
Marilee

=====
Marilee Campbell
Bookings Agent/Treasurer
springglenparkfun@gmail.com
Spring Glen Park
PO Box 1122
Glenwood, AB T0K 2R0



3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
E-mail: admin@orrsc.com
Website: www.orrsc.com

November 27, 2023

File: 2E-15

Cynthia Vizzutti
Chief Administrative Officer
Village of Glenwood
PO Box 1084
Glenwood, AB T0K 2R0

Dear Ms. Vizzutti,

RE: ORRSC – Change in Assigned Municipal Planner

While reviewing the municipal assignments and organization of staff within the Oldman River Regional Services Commission we are pleased to officially inform you that we have transitioned your assigned municipal Planner from Diane Horvath to Ryan Dyck, effective January 1, 2024.

Since starting with ORRSC in 2013 Ryan has been a Planner in numerous communities across the region and has been a valued member of our team. Ryan is a southern Alberta local and holds a Bachelor's degree in Urban and Regional Studies from the University of Lethbridge and is a Registered Professional Planner. Prior to joining ORRSC Ryan held a number of positions across southern Alberta within the planning realm gaining a variety of valuable knowledge and experience, which further supported his passion for small communities.

We are confident that your planning needs will be well served by Ryan and the rest of our team. We encourage you to contact Ryan by 403-329-1344 or by email at ryandyck@orrsc.com to discuss his role within your community.

If you have any questions about these changes, please feel free to contact me at 403-329-1344.

Sincerely,

Lenze Kuiper
Chief Administrative Officer

LK/rk



Chief Mountain

Regional Solid Waste Services Commission

P.O. Box 1711, Cardston, Alberta T0K 0K0 Phone: 403-653-2703 Fax: 403-653-2704

December 14, 2023

Mayor Linda Allred
Village of Glenwood
Box 1084
Glenwood, AB T0K 2R0

Dear Mayor Allred:

Re: Appointment of Representatives to Board of Directors

At the Chief Mountain Regional Solid Waste Services Commission organizational meeting held December 13, 2023, the Board of Directors discussed the municipal appointments to the Board. The Board asked that I notify the member municipalities that the Commission Bylaws allow for an alternate to be appointed along with the established Board member. This allows for the alternate to attend and vote at meetings where the appointed Board member is absent.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Marian Carlson
SEO



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Calgary-Hays*

AR113125

December 15, 2023

Dear Chief Elected Officials:

The Alberta government recognizes local infrastructure is critical to Albertans and to supporting the province's economy, and we are committed to providing predictable, long-term infrastructure funding for all communities. As part of this commitment, I am pleased to announce the launch of the Local Government Fiscal Framework (LGFF) program, which will enable municipalities and Metis Settlements to build infrastructure and serve their communities more effectively.

With LGFF capital funding starting at \$722 million in 2024, the LGFF strikes a fair balance between predictable funding for communities and fiscal responsibility for government. To ensure no community experiences a year-over-year decrease from capital funding allocated under the Municipal Sustainability Initiative (MSI) in 2023, top-up funding will be available for affected communities as part of the transition to the LGFF in 2024. In addition to the legislated LGFF capital funding, based on *Budget 2023* targets and subject to Budget 2024 approval, local governments will have access to \$60 million in LGFF operating funding.

LGFF capital funding in future years will reflect the percentage change in provincial revenues from three years prior. This means in 2025, Alberta communities will receive \$820 million, an increase of nearly 14 per cent, in accordance with growth in provincial revenues between 2021/22 and 2022/23.

For local governments other than Calgary and Edmonton, the LGFF includes a new allocation formula that is substantially different than the one used under the MSI. While the new allocation formula has a greater focus on communities with limited local assessment bases, the formula was chosen to balance the needs of all types of communities – small and large, rural and urban – over the long term. In keeping with our commitment for predictable funding, 2024 and 2025 LGFF capital allocations for all local governments are now available on the program website (www.alberta.ca/local-government-fiscal-framework-capital-funding), to help you plan for the use of this funding. The website also includes a description of the new funding formula.

Last year, we heard through the online survey on the program design that local governments were highly satisfied with how the MSI has been administered. I am pleased to confirm the delivery of the new program will be largely similar to the MSI. While there are some changes to the LGFF capital component when compared to the MSI, we feel strongly these changes will improve the program for local governments and Alberta taxpayers alike. Additional information on the program design will be provided in an email to chief administrative officers, which they should receive shortly.

.../2

In addition, estimated 2024 LGFF operating allocations, subject to approval in Budget 2024, are available on the program website (www.alberta.ca/local-government-fiscal-framework-operating-funding). The allocations will not change from what local governments received in 2023. LGFF operating guidelines will be available in 2024.

I am grateful for your council's work and the work of Alberta Municipalities, Rural Municipalities of Alberta, and the Metis Settlements General Council to help develop the LGFF program and allocation formula. I look forward to working with you to ensure your local infrastructure and operating needs continue to be supported as we grow and strengthen Alberta's economy.

Sincerely,

A handwritten signature in black ink that reads "Ric McIver". The signature is written in a cursive, slightly slanted style.

Ric McIver
Minister

cc: Chief Administrative Officers



ALBERTA

ENVIRONMENT AND PROTECTED AREAS

Office of the Minister

Dear Elected Municipal Leaders,

Alberta is currently in a significant drought. During summer 2023, several water basins reached critical drought conditions due to low rainfall and high temperatures. The world is also experiencing El Niño, a global phenomenon occurring for the first time in seven years. It's causing less snow and rain, along with higher temperatures, heightening the potential for significant drought into spring and summer 2024, particularly in southern Alberta.

Alberta has five stages in its water management plan. Ranging from Stage 1, which is a minor drought, to Stage 5, which is a province-wide emergency. We are currently in Stage 4. The Government of Alberta is closely monitoring the situation and working to be prepared in case the province faces a similar – or worse – drought next year. Staff from Environment and Protected Areas, along with Agriculture and Irrigation, are working with water licence holders, major water users, and other partners to develop water conservation plans and water-sharing agreements.

Alberta has stood up a Drought Command Team in the event of an emergency and an early first draft of a 2024 Drought Emergency Plan has been completed and is now being refined. We have also initiated drought modelling work that will allow the province to determine how to maximize the province's water supply. Alberta is considering a wide range of tools and approaches to respond to an emergency situation, including both regulatory and non-regulatory tools.

The province will also be striking an advisory panel of leaders to help provide advice in the months ahead. And we are preparing for the future, looking at what long-term infrastructure is needed to help manage water supplies for future generations.

However, municipal action is also needed. In order to be fully prepared for a severe drought, municipal leaders throughout Alberta will need to take action. From my time as the Minister of Municipal Affairs, I have had the pleasure of meeting and working with many of you, and I am confident that Albertans will find their municipal leaders are ready and willing to deal with this challenge head-on.

That's why I am writing to all municipalities to ask that the following be undertaken in the coming months:

- 1.) Initiate efforts to monitor water supply infrastructure proactively, paying particular attention to water intake relative to water levels.
- 2.) Begin a review of the terms of your municipality's water licence so you are aware of any conditions that may limit your ability to withdraw water during a drought.
- 3.) Alert municipal water managers to prepare to be engaged with officials from the Drought Command Team, should conditions within your municipal water licence need to be triggered.
- 4.) Develop a water shortage plan so your municipality is prepared to respond if water availability decreases.

We are asking all water users to start planning now to use less water in 2024. We are committed to providing information and supporting any additional conservation efforts that your municipality may adopt in the future.

Stay up-to-date on precipitation and water levels through the Alberta Rivers app or the Alberta Rivers Basins web page at rivers.alberta.ca. To learn more about the impacts of drought on communities and the principles for sound water management, please visit alberta.ca/drought.

Environment and Protected Area would like to hear from your water management staff on perceived risks of drought in 2024, what impacts it could have on your operations, and how your municipality plans to mitigate risks. To connect with our team, please email epa.drought@gov.ab.ca.

Alberta has navigated many droughts before and has a long, proud history of coming together during tough times. I know we can count on our municipal partners to work together in the face of adversity.

Sincerely,



Rebecca Schulz
Minister of Environment and Protected Areas

DAMAGE PREVENTION LEGISLATION FOR ALBERTA

PREAMBLE

Incorporated by over a dozen buried utility owners that provided the seed money (shares) to establish the system in 1984, Alberta One-Call Corporation was the first One-Call system in Canada simplifying identification of buried energy and utility assets prior to a ground disturbance. Since then, Alberta One-Call Corporation has processed millions of locate requests and notified its members ten-fold of proposed excavations allowing them to identify, locate and mark those energy and utility assets to prevent damage, serious injury or fatalities.

In 2005, the Alberta Energy Regulator introduced language within the Alberta Pipeline Act requiring governed pipelines to register with Alberta One-Call and to respond to requests for locates within 48 hrs/2 working days. In 2016, the National Energy Board (now the Canada Energy Regulator) introduced the Damage Prevention Regulations requiring the same of federally-regulated transmission pipelines. All other buried energy and utilities registering with Alberta One-Call do so voluntarily.

Today, Alberta One-Call Corporation (AOC) operates under its rebrand and legal tradename, Utility Safety Partners (USP). The rebrand followed unification of services between AOC, the Alberta Common Ground Alliance and the Where's the LINE campaign promoting overhead power line safety. All three organizations were financially supported by buried utility owners. Unification reduced overlap and redundancies, and improved governance and operational alignment.

Utility Safety Partners annually commits 20% of its budget to promoting awareness of its services across the province. Unfortunately, despite decades of awareness, damages to buried and overhead utilities continues causing unnecessary disruptions to essential services, injury and death. In Alberta, almost 30% of damages to buried utilities are the result of no locate request despite Alberta OH&S legislation mandating that the ground not be disturbed until buried facilities have been identified and their locations marked (Alberta OH&S is silent with respect to USP's services).

Beyond the cost of repairs, and according to the Canadian Common Ground Alliance's annual DIRT Report, damages to buried and overhead utilities cost Albertans an estimated \$300 Million per year in service disruptions, deployment of emergency services, evacuation, product loss, environmental impact and mitigation, economic impact, work delays; and, administrative and legal costs. Legislation mandating buried and overhead energy and utility assets register their location with USP is long overdue. It will reduce damages, improve the reliability of Alberta's critical energy and utility infrastructure and ultimately, save lives.

SUMMARY

This enactment creates a provincial energy and utility infrastructure notification system that requires, among other things,

- a) operators of underground and aboveground infrastructure that are either provincially regulated or located on provincial land or within a public right of way, to register that infrastructure with Alberta

One-Call Corporation, now operating under its legal tradename, Utility Safety Partners, and provide information on it;

- b) persons planning to undertake a ground disturbance or work in the vicinity of an overhead powerline to make a locate request to Utility Safety Partners; and
- c) operators of registered underground and aboveground infrastructure or their agents to respond to the notification of proposed activity as follows:

For underground infrastructure

1. mark the location of the underground infrastructure on the ground within 5 working days;
2. provide in writing an accurate and clear description of the location of the underground infrastructure within 3 working days; or,
3. indicate that the ground disturbance shall not cause damage to the underground infrastructure within 3 working days.

For aboveground infrastructure

1. USP to provide in writing an alert to the requester of the presence of aboveground infrastructure in the work area;
2. provide in writing the safe work measures to follow when working in proximity to the aboveground infrastructure; and
3. provide contact information to the requester should additional information or action from the aboveground utility owner or operator be required.

Definitions

The following definitions apply in this Act.

Alberta One-Call Corporation / Utility Safety Partners / The Corporation means the non-profit Notification Centre for Alberta that provides a communication service between the digging community and the owners of buried facilities to arrange for the marking of the location of buried facilities prior to a ground disturbance.

Alternate Locate Agreement means permission to excavate, subject to the terms and conditions outlined by a written agreement between the Excavator and the Distributor.

Board of Directors means the governing body of Alberta One Call Corporation / Utility Safety Partners that meets regularly to determine the organization's guiding principles, confirm annual budget and related fees, select top management positions, and oversee policies for the business.

Clearance means notification to an excavator either by a completed locate or written / electronic notice indicating there is no underground or aboveground infrastructure affected by the ground disturbance.

Consortium means the Utility Safety Partner members forming an association to facilitate a single locate for multiple buried distribution or civic-owned buried energy and utility assets.

Damage means physical harm caused to something in such a way as to impair its value, usefulness or normal function.

Defunct means pipelines and associated areas where an energy company ceased its operations without having properly closed its infrastructure, or is declared bankrupt.

Emergency means any situation where there is an immediate threat to human health or the safety of persons, property or underground or aboveground infrastructure or to prevent damage to the environment.

Entity means a body corporate, a partnership, a trust, a joint venture or an unincorporated association or organization.

Ground disturbance means any work, operation or activity that results in a disturbance of the earth, including but not limited to excavating, digging, trenching, plowing, drilling, tunneling, augering, backfilling, blasting, pulverizing, post pounding, scarifying, topsoil stripping, land levelling, peat harvesting, quarrying, deforestation and earthworks. It does not include a disturbance of the earth caused by any of the following:

- a) cultivation to a depth of less than 450 mm below the surface over a pipeline;
- b) routine, minor road maintenance; or
- c) hand-digging to a depth of no more than 300 millimeters below the ground surface, so long as it does not permanently remove cover over a buried utility.

Ground Disturber means any person or entity, such as a contractor, worker, buried facility owner, land owner, or private individual who undertakes a ground disturbance.

Locate request means a request referred to in 4.

Locate Requester means an individual who creates a locate request

Member means a person or entity is a member of Utility Safety Partners if the person or entity owns or operates underground infrastructure or aboveground powerlines:

- 1) Every municipality in Alberta;
- 2) Every gas distributor and every gas transmitter;
- 3) Every provincially regulated and federally regulated transmission pipeline;
- 4) Every operator of a distribution system;
- 5) Every person or entity that owns or operates underground infrastructure within a public right of way or that crosses a public right of way;
- 6) Every person or entity that owns or operates aboveground energy or utility infrastructure within a public right of way or that crosses a public right of way; and
- 7) Every electricity distributor and every electricity transmitter in the province of Alberta.

Members of the Board On the day this Act comes into force, the members of the Board of the Corporation shall be the members of the Board who held office immediately before that day.

Non-profit Corporation The business and affairs of the Corporation shall be carried on without the purpose of financial gain and any profits shall be used by the Corporation for the purpose of carrying out its objects.

Notification Centre means the non-profit corporation called Alberta One-Call Corporation, operating under its legal tradename, Utility Safety Partners, which transmits a notification to registered members with underground infrastructure and aboveground infrastructure in the vicinity of proposed ground disturbance(s) or aboveground activity(ies) following receipt of a locate request.

Objects The following are the objects of the Corporation:

- a) To operate a system and service capable of receiving requests for the location of registered underground and aboveground infrastructure within Alberta 24hrs/day, 7 days/wk.
- b) To identify and communicate to the ground disturber / person requesting a locate / **locate requestor** whether underground and aboveground infrastructure are located in the vicinity of a proposed ground disturbance or aboveground activity.
- c) To notify registered members of the Corporation of proposed ground disturbances or aboveground activities that may affect registered underground infrastructure or aboveground energy and utility assets
- d) To promote public awareness of the Corporation and the need for safe work (example: ClickBeforeYouDig, Where's the LINE?).

Operator means a person or a group of persons that operates underground or aboveground infrastructure.

Overhead powerline, Overhead Energy and Utility Asset; or Aboveground Infrastructure means real and personal property, immovable and movable, and works connected to them, carrying electrical power or telecommunications services supported by pylons or poles.

Person means an individual or an entity.

Pipeline means a line or transportation system that is used or to be used for the transmission or distribution of oil, gas or any other commodity in the province of Alberta, and includes all branches, extensions, tanks, reservoirs, storage facilities, pumps, racks, compressors, loading facilities, interstation systems of communication by telephone, telegraph or radio and real and personal property, or immovable and movable, and works connected to them, but does not include a sewer or water pipeline that is used or proposed to be used solely for municipal purposes.

Positive response means correspondence to the person or entity submitting a locate request that includes but is not limited to; a Clearance, a copy of a locate document, a meeting schedule or other information regarding the identification of the location of the member's infrastructure in the defined dig area.

Powers The Corporation has the capacity and the rights, powers and privileges of a natural person, subject to the limitations set out in this Act.

Priority means an outgoing request for locates from the *notification centre* to the *member* which has a lead time of more than 2 hours but less than 3 days, where excavation is required to correct a condition that poses a potential threat to life, health or property.

Province means Alberta

Provincial lands means land of the Crown in right of Alberta.

Self-locating means identifying and marking buried utilities by a certified locator.

Underground infrastructure means cables, ducts, equipment, pipes, pipelines, power lines, energy and utility lines and networks and vaults that are buried in the ground and that are located on provincial lands or regulated by any of the following:

- Alberta Energy Regulator
- Alberta Utilities Commission
- Canada Energy Regulator
- Canadian Radio-Television and Telecommunications Commission
- Alberta Electric System Operator
- Irrigation Council
- Ministry of Transportation
- Geological Survey of Canada
- Transport Canada
- Fisheries and Oceans Canada (Coast Guard) (re: navigable waterways)
- Fisheries Act
- Species at Risk Act
- Environment and Climate Change Canada
- Alberta Environment and Parks
- Special Areas Board
- The Rural Utilities Act

Working day means a day other than a Saturday, Sunday or a statutory holiday in the province of Alberta.

Working hours means 8am to 4:30pm Monday to Friday.

Application

Exclusion — This Act does not apply to underground or aboveground infrastructure that is privately owned within private property and does not operate on a commercial basis.

Registration with Notification Centre

1. Registration

The operator of any underground or aboveground infrastructure must register its location with, Utility Safety Partners.

**Utility Safety Partner's strongly suggests Alberta Municipalities and Rural Municipalities are provided with a five-year grace period to register underground and aboveground infrastructure with Utility Safety Partners.*

2. Communication of information

The operator of any underground or aboveground infrastructure must provide the following information to Utility Safety Partners and at minimum, update it within 30 days of new construction or abandonment:

- a) the geographical location of the underground or aboveground infrastructure such as the digital geospatial data / shape files or legal description of the location; and
- b) any other information that Utility Safety Partners considers necessary to exercise its functions or that legislation requires.

3. Modifications

The operator must inform Utility Safety Partners, in writing, of any modification to the information provided to the centre under 2 (above).

In the case of insolvency or bankruptcy resulting in abandonment of underground infrastructure or defunct pipeline status, the notification centre will maintain the registered data and label the defunct pipeline as "defunct". Any person who has been notified of a defunct pipeline in the vicinity of their proposed ground disturbance will secure locating and marking services to identify its location prior to disturbing the ground.

Location and Identification of Underground and Aboveground Infrastructure

4. Locate request

Before a person undertakes any ground disturbance, or aboveground activity that has the potential to encroach overhead utilities within 7 metres, that person must submit a locate request to the notification centre.

Examples of aboveground activities that have the potential to contact an overhead powerline include but are not limited to:

- Tree pruning or tree removal
- Using a ladder
- Delivering materials with a crane or cherry-picker
- Working on scaffolding
- Working on a roof

- Moving high loads (included but not limited to)
 - Mobile homes
 - Farming equipment
 - Pipeline equipment
- Moving wide loads
- Trucks hauling or dumping material

5. Communication — other information

Before undertaking the ground disturbance, the person must also provide the notification centre with the following information:

- a) the type of ground disturbance they are planning to undertake;
- b) the exact location of the anticipated ground disturbance; and
- c) any other information that the notification centre considers necessary to exercise its functions.

6. Provision of information — period of time and manner

The information referred to in section 5 must be provided to the notification centre at least five working days' notice in advance of the day on which the ground disturbance is to start — or as soon as possible before the ground disturbance is to start in the case of emergency locates described in section 9 — and in the manner specified by the notification centre.

7. Notification to operators of registered underground infrastructure — ground disturbance

Immediately after receiving a locate request, the notification centre must provide notification of the ground disturbance, in writing, to all operators of registered underground infrastructure that could be damaged by that ground disturbance.

8. Notification to person undertaking a ground disturbance

Immediately after receiving a locate request, the notification centre must also indicate, in writing, to the person that made the locate request:

- a) whether or not any registered underground and aboveground infrastructure is located in the area in which the ground disturbance is anticipated to take place; and
- b) the name of the operator of any registered underground or aboveground infrastructure in that area.

9. Emergency locates

(a) Emergency

An operator of registered underground or aboveground infrastructure will respond without delay to an Emergency notification referred to in section 6 — including outside normal business hours — if the notification centre considers that a person must undertake a ground disturbance or conduct an aboveground activity in order to respond to an emergency.

(b) Priority

An operator of registered underground or aboveground infrastructure will respond within four (4) hours, or the time prescribed on the Ticket, to a Priority notification referred to in section 6 — including outside normal business hours — if the notification centre considers that a person must undertake a ground disturbance or conduct an aboveground activity in order to respond to the Priority.

10. Positive Response

All underground and aboveground infrastructure locate requests shall result in a positive response from the owner or authorized representative of the owner to the person who submitted the locate request and the notification centre. A Positive Response is not required for a locate request submitted by the asset owner or their agent for work on their own assets.

11. Response — location of registered underground infrastructure

The operator of registered underground infrastructure, or its agent, that receives a notification referred to in section 7 must, within the period of time specified in section 6, do one or more of the following:

- a) by using the prescribed colour codes, mark on the ground the location of the underground infrastructure and provide:
 - i. a description of that location to the person planning to undertake a ground disturbance; or
 - ii. their facility data to a private locator for identification of the facilities.
- b) Provide to that person, in writing, an accurate and clear description of the location of the underground infrastructure that could be damaged by the ground disturbance for the purpose of self-locating (Alternative Locate Agreement);
- c) provide to that person a written confirmation that the ground disturbance is not likely to cause damage to the underground infrastructure; or
- d) request additional information about the proposed ground disturbance to determine the impact on existing underground infrastructure.

12. Response – Aboveground infrastructure

Following receipt of a locate request that intersects with the registered location of aboveground infrastructure, the notification centre shall:

- a) provide in writing an alert to the requester of the presence of aboveground infrastructure in the work area;
- b) provide in writing the minimum safe work precautions to follow when working in proximity to the above ground infrastructure; and
- c) provide contact information to the requester should additional information or action from the above ground utility owner or operator be required.

13. Period of time

The operator of registered underground infrastructure must provide the response referred to in section 11 within the minimum notice period unless the operator of the registered underground

infrastructure and the person planning to undertake the ground disturbance agree in writing to an alternate period of time.

14. Separate responses

An operator of registered underground or aboveground infrastructure must provide a separate response for each notification they receive.

15. Duration

The response is valid for thirty (30) days unless otherwise indicated by the operator of the underground or aboveground infrastructure.

16. Response not valid

A response from the operator of registered underground or aboveground infrastructure is not valid unless it complies with section 11 or 12, as the case may be.

17. Restrictions

A person planning to undertake any ground disturbance, or aboveground activity that has the potential to encroach overhead utilities within 7 metres, must not undertake it before:

- a) the person has received a notification from a notification centre under section 11 and 12; and
- b) the operators of registered underground or aboveground infrastructure cited in that notification have provided the person with a response in accordance with section 11 or 12, as the case may be.

18. Obligation to Report Damages

Any party associated with a ground disturbance that damages underground or aboveground infrastructure must report the damage to the owner and Utility Safety Partners.

19. Agreements with Other Provinces

The Notification Centre may provide services to other provinces with approval from the Board of Directors.