

# Bylaw 18826

## *Municipal Government Act Required Public Notification Methods*

### **Recommendation**

That Executive Committee recommend to City Council:

That Bylaw 18826 be given first reading.

### **Purpose**

To provide alternative advertising methods for legally required advertisements. The bylaw provides both electronic and non-electronic means by which to reach “substantially all residents in the relevant area” as referred to in the *Municipal Government Act*.

### **Readings**

Bylaw 18826 is ready for first reading only.

### **Advertising and Signing**

Bylaw 18826 will be advertised following first reading.

### **Position of Administration**

Administration supports this Bylaw.

### **Report**

The City communicates its services, programs, projects and other information through a variety of media and methods. In addition, the *Municipal Government Act* requires Administration to notify the public about certain types of meetings, events, decisions and actions. Until recently, print advertising, typically in a daily newspaper once a week for two weeks, was the primary method used by Alberta’s municipalities.

Amendments to the *Municipal Government Act* enable the City to create a bylaw to use methods other than newspaper advertising, including electronic methods, for legal advertisements required by the *Municipal Government Act*. Prior to passing an alternative advertising bylaw, Council must be satisfied that the

proposed alternative methods are likely to bring the matter advertised to the attention of “substantially all residents in the relevant area” per the *Municipal Government Act*.

Bylaw 18826 (Attachment 1) will allow the City to use the municipal website (edmonton.ca) *and* at least one non-internet-based method for legally required advertisements as follows:

- **site-specific** (e.g. sale of land below market value)
  - notification by mail to nearby property owners, Business Improvement Areas and EFCL is required
- **city-wide** or **area-wide** (e.g. public hearings, council composition bylaws)
  - notification posted on a designated board in Edmonton Tower Service Centre, with printed copies available upon request
  - City of Edmonton Public Service Announcement

Approval of Bylaw 18826 still allows Administration the flexibility to employ additional methods similar to those already used to inform citizens about City of Edmonton services, programs, projects and other information, such as:

- posting on City of Edmonton social media platforms
- notification by mail or e-mail to relevant stakeholders including Business Improvement Areas, Community Leagues, senior serving organizations, social agencies and libraries
- direct mail
- roadside signs
- out-of-home (interior and exterior transit, digital and static billboards, digital signage in recreation centres, etc.)
- advertisement with local media (newspaper, radio, television) outlets
- post information signs on site

The City can use these additional methods to tailor the medium and message to connect with a specific audience according to the type and content of the notification. Methods will be selected based on which are most appropriate for the audience in question. Administration plans to implement the changes gradually so that Edmontonians who use newspapers as a source of this information are made aware of the transition before it occurs.

### **Research and Consultation**

To develop the bylaw, Administration used Edmonton Census and other survey data, national advertising trends, a jurisdictional scan of similar bylaws in other Albertan and Canadian municipalities, and consulted with community groups, City committees and other stakeholders. A Gender-Based Analysis Plus (GBA+) review was also completed to identify any gaps or unintended consequences of the proposed bylaw. Administration consulted Age Friendly Edmonton, the Accessibility Advisory Committee and the Multicultural Relations Services, as well as other stakeholders, including 13 Business Improvement Areas and the Edmonton Federation of Community Leagues. Overall, these groups viewed the proposed methods as positive and appreciated the ability to tailor notifications to the needs and capabilities of the individuals they represent. Stakeholders provided their feedback, which informed the bylaw itself and the implementation and operational plans.

The 2016 Edmonton Census is the most exhaustive source for understanding how citizens like to receive information from the City. Of the 714,287 citizens asked how they obtain information regarding City Services, the City website was the channel with the highest response (17 percent).

Other research studies ask similar questions to those in the Census. A January 2019 City of Edmonton Insight Community confirmed 73 percent of 1,020 respondents selected the municipal website when asked how they found information about City of Edmonton programs, services and events. Other common ways to access this information, according to survey respondents, include general internet searches and the City's social media channels.

### **Evolving Consumer Habits**

National research on media consumption habits and advertising trends support and supplement findings of these local surveys. For example, the *Annual Report on Government of Canada Advertising Activities 2016-2017* indicates that 89 percent of Canadian households have internet access and “expect the government to embrace these means to communicate with them.” Likewise, *The Policy on Communications and Federal Identity* encourages the use of digital media as the primary means to connect and interact with the public.

Consistent with overall Canadian advertising trends, a scan of other Albertan and Canadian municipalities shows most municipalities are shifting to municipal website plus an additional method, such as social media or posted notices in municipal buildings, to reach a substantial amount of residents.

### **The City's Municipal Website - edmonton.ca**

edmonton.ca is the main source for all of the City's services, programs, bylaws and other important information that affects citizens day to day lives. It is also used by the 311 call centre to help answer citizen inquiries.

The majority of unique pageviews traffic comes through Google's search engine and virtual addresses like edmonton.ca/meetings. Google is one of the main tools people use to find information online globally at roughly 80 percent according to market share statistics for internet technologies.

edmonton.ca has a reputation with many citizens as a first point of reference for information regarding City programs, services and bylaws. edmonton.ca's search engine optimization is ranked high making content easy to find among the 80 percent who use Google as their search engine.

Web statistics demonstrate the success of consistent traffic flows over time. In 2018 edmonton.ca had:

- 29,765,649 page views overall
- 22,878,398 unique page views

In order to support as many citizens as possible and allow all users (including those with visual impairments or physical disabilities) to access notifications, the website has been developed according to recognised accessibility standards.

### **Guiding Principles for Bylaw Development**

Based on the available research, initial consultation and current best practices, the following desired outcomes guided the development of the Bylaw 18826:

- **Effective:** informed by research that the municipal website is citizens' main source for important City information. It is also supported by 311.
- **Adaptable:** enables public notification methods to be tailored for their audience.
- **Accessible:** adheres to recognised accessibility standards set down by the World Wide Web Consortium (W3C), is searchable and archived on the Open Data Portal, and includes options for notification based on location, topic, type, date, etc. Citizens can also obtain print copies upon request.
- **Responsible:** allows for resource (re)allocation and potential cost-savings.
- **Compliant:** confidence that 'substantially all' affected citizens are notified.

### Legal Implications

Amendments to the *Municipal Government Act* permit the City to pass a bylaw allowing for a third, alternative method of providing notice of meetings, notices, bylaws, and other things required to be advertised by provincial legislation. Prior to using this authority, Council must be satisfied that the proposed alternative methods will ensure that notice is given to substantially all residents affected by the thing being advertised.

Based on the research and engagement described in this report, Administration is of the opinion that posting advertisements on the City's website and distributing in a non-internet-based form will achieve the requirement of reaching substantially all affected residents.

In addition to the *Municipal Government Act* amendments, the *City of Edmonton Charter, 2018 Regulation* also allows the City to pass Bylaw 18826 to modify certain other advertising requirements, such as notices of public auctions and public works. Bylaw 18826 will allow these notices to be posted on the City's website as an alternative to newspaper and Alberta Gazette publication, as currently required. This enabling authority does not include the same requirement for Council to be satisfied that the modified advertising method will reach substantially all affected residents.

While Bylaw 18826 will apply to things required to be advertised by the *Municipal Government Act*, the Zoning Bylaw also contains advertising requirements that include newspaper advertisements. As part of the Zoning Bylaw Renewal project, Administration will be working with community members and stakeholders to determine the best approach to when and how notices are provided. Until those amendments are approved by Council, newspaper advertising will continue to be required for matters governed by the Zoning Bylaw.

### Public Engagement

The general public was not engaged in the drafting of the bylaw since Council is required to advertise and hold a public hearing before passing Bylaw 18826. This will give the public a chance to share their opinions on the proposed recommendations outlined in the bylaw.

### Attachments

1. Charter Bylaw 18826 - Public Notification Bylaw
2. Examples of *Municipal Government Act* Mandated Public Notifications
3. Jurisdictional Scan of Albertan and Canadian Municipalities

**Others Reviewing this Report**

- R. Kits, Acting Deputy City Manager, Financial and Corporate Services
- G. Cebryk, Deputy City Manager, City Operations
- A. Laughlin, Deputy City Manager, Integrated Infrastructure Services
- K. Armstrong, Deputy City Manager, Employee Services
- R. Smyth, Deputy City Manager, Citizen Services
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor