



BYLAW 2025-124

BEING A BYLAW OF THE TOWN OF DIAMOND VALLEY IN THE PROVINCE OF ALBERTA, TO DESIGNATE THE HEAD OF THE PUBLIC BODY AND ESTABLISH FEES IN RELATION TO THE ACCESS TO INFORMATION ACT.

WHEREAS pursuant to the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, a municipal council has authority to govern and the authority to pass bylaws respecting the municipality, including services provided by or on behalf of the municipality;

AND WHEREAS, pursuant to section 98 of the *Access to Information Act*, SA 2024, Chapter A-1.4 and amendments thereto, the Council of the Town of Diamond Valley must designate a person or group of persons as the Head of the municipality for the purposes of the *Access to Information Act*;

AND WHEREAS pursuant to section 87 of the *Access to Information Act*, the designated Head may delegate to any person any duty, power, or function of the Head, except the power to delegate;

AND WHEREAS in accordance with section 187 of the *Municipal Government Act* and section 96 of the *Access to Information Act* (the Act), Council may pass a bylaw establishing fees to charge for services rendered under the Act;

THEREFORE, BE IT RESOLVED THAT the Council of the Town of Diamond Valley, duly assembled in Council Chambers in Diamond Valley, Alberta, enacts as follows:

1.0 TITLE AND PURPOSE

- (1) This bylaw may be cited as the "*Access to Information Bylaw*".

2.0 INTERPRETATION AND DEFINITIONS

- (1) In this bylaw and any schedules to this bylaw, the following terms, phrases, words and their derivations have the following meanings:
 - (a) **Act** means the *Access to Information Act*.
 - (b) **Applicant** means an individual who makes a request to access information under section 7 of the Act.
 - (c) **Council** means the duly elected Council of the Town of Diamond Valley.
 - (d) **Head** means the Chief Administrative Officer (CAO), who is responsible for the administration of the Act at the Town of Diamond Valley.
 - (e) **Municipality** means the Town of Diamond Valley, and for the purposes of this bylaw includes any board, committee, commission, panel, agency or corporation that is created or governed by the Town of Diamond Valley, and all the members or officers of which are appointed by the Town.
 - (f) **Record** means any electronic record or other record in any form, in which information is contained or stored, including information in any written, graphic, electronic, digital, photographic, audio or other medium, but does not include any software or other mechanism used to store or produce the record.

- (2) The headings in this bylaw do not form part of this bylaw and do not affect its interpretation.
- (3) Any references in this bylaw to any statutes are to the *Province of Alberta Statutes* as amended or replaced from time to time and any amendments thereto.
- (4) Within the text of this bylaw;
 - (a) use of a pronoun or determiner which indicates one gender includes all genders, unless the context requires otherwise, and
 - (b) use of the singular includes the plural and the plural includes the singular, as the context requires.
- (5) The word “may,” when used in this bylaw, is to be construed as permissive and empowering, and the words “must” or “shall” when used in this bylaw, are to be construed as imperative.

3.0 DESIGNATED HEAD

- (1) For the purposes of the Act, the Chief Administrative Officer (CAO) is designated as the Head of the Municipality.
- (2) In accordance with section 87 of the Act, the Head may delegate and assign duties and responsibilities under the Act.

4.0 FEES

- (1) Where an Applicant is required to pay a fee for services, the amount payable will be determined in accordance with the *Access to Information Act Regulation*, AR 133/2025, as may be amended or replaced.

5.0 GENERAL PROVISIONS AND COMING INTO FORCE

- (1) If any term, clause or condition of this bylaw or the application thereof is found to be invalid or unenforceable, the remainder of this bylaw or the application of such term, clause or condition must not be affected and remains in force and effect.
- (2) Nothing in this bylaw relieves any person from compliance with any other bylaw or any applicable federal or provincial law, regulation or enactment.
- (3) In the event of a conflict between this bylaw and any other bylaw or any applicable federal or provincial law, regulation or enactment respecting public health and safety, the other bylaw, law, regulation or enactment must prevail to the extent of the conflict.
- (4) This bylaw repeals Bylaw 2023-09, FOIP Bylaw, in its entirety and all amendments thereto.

(5) This bylaw comes into force and effect on the date of third and final reading.

READ A FIRST TIME on the 20th day of August, 2025

READ A SECOND TIME on the 20th day of August, 2025

READ A THIRD AND FINAL TIME on the 20th day of August, 2025

Original Signed


Mayor

Original Signed


Chief Administrative Officer

