

COVID–19 PROCEDURAL RULES

Purpose of the Rules

- 1) The purpose of the Rules is to:
 - A) Provide information relevant to Red Deer Appeal & Review Board hearings that apply for the duration of the COVID – 19 pandemic that recognize physical distancing and mass gathering measures.
 - B) Ensure a fair, open and accessible process in accordance with the principles of natural justice.
 - C) Facilitate the efficiency and timeliness of appeal proceedings.

Types of Hearings

- 2) Hearings will be held using videoconferencing. If any Party to an appeal does not have access to or is unable to use videoconferencing, the hearing will be held via teleconference.
- 3) The Board may consider conducting a hearing using only written submissions upon receiving a joint request from the Parties.

Signing Documents

- 4) Documents requiring a signature, including but not limited to, Board Decisions may be signed electronically so long as a record can be made of the signatory's permission to use it.

Disclosing Documents

- 5) In the interest of fairness and efficiency, the Parties will provide their arguments to each other and the Board no less than 7 days in advance of the hearing. This includes, but is not limited to, written argument and a summary of evidence that the Parties intend to present at the hearing and must have enough detail to allow the opposing Party to respond to the argument.
- 6) Arguments submitted must be clear and understandable. All pages must be numbered consecutively, throughout the entire text and graphic content, even if there are dividers or tabs.
- 7) It is preferred that arguments be provided electronically but if necessary, may be provided via mail. If providing arguments via mail, the Party mailing the arguments should ensure adequate mailing time.

Submissions from the Public

- 8) The Board will receive submissions from the public in accordance with the Notice of Hearing.
- 9) In addition to the requirements in the Municipal Government Act and the Land Use Bylaw, the Notice of Hearing will be posted on the City of Red Deer website.
- 10) The Notice of Hearing that is sent to area landowners may require that the Public register with the Clerk prior to the hearing and will include:
 - A) the type of hearing and the reasons for it (e.g. COVID – 19 Public Health Order);
 - B) instructions describing when and how submissions can be made; and
 - C) information on how to access the hearing if the hearing is able to be streamed online.

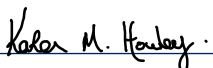
Chairing of Video Conference and Teleconference Hearings

- 11) For Purposes of the record, each speaker at a hearing will be asked to state their first and last name, and state how they are affected by the appeal. After that, speakers are asked to state their first name only.
- 12) If the hearing is streaming online, the Presiding Officer will recess for at least 00:15 minutes prior to calling for public comments. During this time, the public may join the hearing as advised by the Presiding Officer to state their concerns.
- 13) The Presiding Officer will maintain control over the hearing by naming and inviting each speaker prior to them speaking.

Application of the Rules

- 14) The rules:
 - A) Are in addition to the Board's enabling legislation.
 - B) Are in addition to the adopted Policies and Procedures of the Board. If there is a discrepancy, these rules shall be paramount.
 - C) Shall remain in place until physical distancing measures are no longer necessary or until the rules are withdrawn by the Chair.

Date: May 27, 2020



Karen Howley, Chair