2017 Bill 8

Third Session, 29th Legislature, 66 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 8

AN ACT TO STRENGTHEN MUNICIPAL GOVERNMENT

THE MINISTER OF MUNICIPAL AFFAIRS

First Reading . . . . . .

Second Reading . . . . . .

Committee of the Whole . . . . . .

Third Reading . . . . . .

Royal Assent . . . . . .

BILL 8

2017

AN ACT TO STRENGTHEN MUNICIPAL GOVERNMENT

(Assented to , 2017)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Municipal Government Act

Amends RSA 2000 cM-26

1(1) The *Municipal Government Act* is amended by this section.

(2) Section 1(1) is amended by adding the following after clause (k.1):

(k.2) "Indian band" means a band within the meaning of the *Indian Act* (Canada);

(k.3) "Indian reserve" means a reserve within the meaning of the *Indian Act* (Canada);

(3) Section 3 is amended by adding the following after clause (a):

(a.1) to foster the well-being of the environment,

Explanatory Notes

Municipal Government Act

1(1) Amends chapter M-26 of the Revised Statutes of Alberta 2000.

(2) Definitions added.

(3) Section 3 presently reads:

3 The purposes of a municipality are

(a) to provide good government,

(b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality, and

(c) to develop and maintain safe and viable communities.

(4) Division 5 of Part 3 is repealed.

(5) Section 63 is repealed and the following is substituted:

Definitions

62.1 In this Division, "revised bylaw" means a bylaw that has been revised under section 63.

Revising bylaws

63(1) A council of a municipality may, by bylaw, revise any of its bylaws or any one or more provisions of them in accordance with this section.

(2) A bylaw under this section may

(a) omit and provide for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective;

(b) omit, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality;

(c) combine 2 or more bylaws into one bylaw, divide a bylaw into 2 or more bylaws, move provisions from one bylaw to another and create a bylaw from provisions of one or more other bylaws;

(d) alter the citation and title of a bylaw and the numbering and arrangement of its provisions, and add, change or omit a note, heading, title, marginal note, diagram or example to a bylaw;

(e) omit the preamble and long title of a bylaw;

(f) omit forms or other material contained in a bylaw that can more conveniently be contained in a resolution, and add authority for the forms or other material to be prescribed by resolution;

(g) make changes, without materially affecting the bylaw in principle or substance,

(4) Repeal of Division 5 of Part 3. Provisions moved to Division 4 of Part 10.

(5) Adds definition of revised bylaw. Section 63 presently reads:

63(1) A council may by bylaw authorize the revision of all or any of the bylaws of the municipality.

(2) The bylaw may authorize the following:

(a) consolidating a bylaw by incorporating all amendments to it into one bylaw;

(b) omitting and providing for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective;

(c) omitting, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality;

(d) combining 2 or more bylaws into one, dividing a bylaw into 2 or more bylaws, moving provisions from one bylaw to another and creating a bylaw from provisions of another or 2 or more others;

(e) altering the citation and title of a bylaw and the numbering and arrangement of its provisions, and adding, changing or omitting a note, heading, title, marginal note, diagram or example to a bylaw;

(f) omitting the preamble and long title of a bylaw;

(g) omitting forms or other material contained in a bylaw that can more conveniently be contained in a resolution, and adding authority for the forms or other material to be prescribed by resolution;

(h) correcting clerical, grammatical and typographical errors;

(i) making changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of a bylaw or to improve the expression of the law.

(i) to correct clerical, technical, grammatical or typographical errors in a bylaw,

(ii) to bring out more clearly what is considered to be the meaning of a bylaw, or

(iii) to improve the expression of the law.

(3) The title of a revised bylaw must include the words "revised bylaw".

(4) A bylaw under this section must not be given first reading until after the chief administrative officer has certified in writing that the proposed revisions were prepared in accordance with this section.

(6) Section 64 is repealed.

(7) Section 65 is repealed and the following is substituted:

Requirements relating to revised bylaws

65 A bylaw made in accordance with section 63 and the resulting revised bylaw are deemed to have been made in accordance with all the other requirements of this Act respecting the passing and approval of those bylaws, including any requirements for advertising and public hearings.

(6) Section 64 presently reads:

64(1) Revised bylaws have no effect unless a bylaw adopting them is passed.

(2) The bylaw adopting the revised bylaw may not be passed unless the chief administrative officer certifies that the proposed revised bylaws have been revised in accordance with the bylaw authorizing the revision.

(3) An amendment to the proposed revised bylaws may be made only if the change under the amendment is in accordance with the bylaw authorizing the revision.

(4) The bylaw adopting the revised bylaws must specify the date or dates that the revised bylaws are to come into force and the date or dates that the bylaws being repealed are repealed.

(7) Section 65 presently reads:

65 Revised bylaws that are in effect are deemed to have been passed as if all the requirements respecting the passing and approval of the bylaws for which the revised bylaws are substituted have been complied with.

(8) Section 66(1) is amended by striking out "provisions of the revised bylaws substituted for the previous bylaws" **and substituting** "provisions of a revised bylaw that replace provisions of a previous bylaw".

(9) Section 67 is repealed and the following is substituted:

References to repealed bylaws

67 A reference in a bylaw, enactment or document to a bylaw that has been revised under section 63 or to a provision of a bylaw that has been revised under section 63 is, in respect of any transaction, matter or thing occurring after the revised bylaw or provision, as the case may be, comes into force, to be considered as a reference to the revised bylaw or provision.

(10) Section 68 is repealed.

(11) Section 103 is amended

(a) by repealing subsection (1)(c) and substituting the following:

(c) all local authorities having jurisdiction to operate or provide services in the initiating municipal authority or in any of the municipal authorities with which it proposes to amalgamate.

(b) by repealing subsection (4)(b) and substituting the following:

(b) include proposals for consulting with all local authorities referred to in subsection (1)(c) and the public about the proposed amalgamation.

(8) Section 66(1) presently reads:

66(1) The provisions of the revised bylaws substituted for the previous bylaws, when they have the same effect, operate retrospectively as well as prospectively and are deemed to come into force on the days on which the corresponding previous bylaws came into force.

(9) Section 67 presently reads:

67 A reference in a bylaw, enactment or document to a bylaw that has been repealed by the revised bylaws is, in respect of any subsequent transaction, matter or thing occurring after the revised bylaws come into force, to be considered to be a reference to the bylaw in the revised bylaws that has been substituted for the repealed bylaw.

(10) Section 68 presently reads:

68(1) If a mistake is made during the revision of a bylaw and the bylaw adopting the revised bylaw has been passed, the mistake may be corrected by bylaw.

(2) The bylaw correcting the mistake is deemed to have been made as if all the requirements respecting the passing and approval of the bylaw for which the revised bylaw was substituted have been complied with.

(11) Section 103 presently reads in part:

103(1) A municipal authority initiates an amalgamation by giving written notice of the proposed amalgamation to

(c) any local authority that the initiating municipal authority considers would be affected by the proposed amalgamation.

(4) The notice for an amalgamation must

(b) include proposals for consulting with the local authorities that the initiating municipal authority considers would be affected and the public about the proposed amalgamation.

(12) Section 116(1) is amended

(a) by adding the following after clause (a):

(a.1) the Minister,

(b) by repealing clause (c) and substituting the following:

(c) all local authorities having jurisdiction to operate or provide services in the initiating municipal authority or in any of the municipal authorities from which the land is to be annexed.

(13) Section 135 is amended

(a) in subsection (1)

(i) by striking out "the formation, annexation" **and substituting** "an annexation or the formation";

(ii) by repealing clause (c) and substituting the following:

(c) in the case of an amalgamation or an annexation, if at the time of the notice under section 103 or 116 any land or any portion of it is designated or required to be provided as a public utility lot, environmental reserve, conservation reserve, municipal reserve or municipal and school reserve under Part 17 or a former Act as defined in Part 17, on the amalgamation or annexation taking effect the ownership of the land becomes vested in the new municipal authority in place of the old municipal authority, and

(b) by repealing subsection (2) and substituting the following:

(2) If the land referred to in subsection (1)(c) is sold or money instead of land is received by the old municipal authority after a notice of amalgamation under section 103 or a notice of annexation under section 116 is received, the proceeds of the sale or the money received must be paid to the new municipal authority.

(12) Section 116(1) presently reads:

116(1) A municipal authority initiates the annexation of land by giving written notice of the proposed annexation to

(a) the one or more municipal authorities from which the land is to be annexed,

(b) the Municipal Government Board, and

(c) any local authority that the initiating municipal authority considers would be affected by the proposed annexation.

(13) Section 135(1)(c) and (2) presently read:

135(1) When an order under this Part has the effect of including or placing an area of land that was in one municipal authority, called in this section the "old municipal authority", in another municipal authority, called in this section the "new municipal authority", as a result of the formation, annexation, amalgamation or dissolution of a municipal authority, then, unless the order provides otherwise,

(c) if at the time of the notice under section 103 or 116, any land or any portion of it is designated or required to be provided as a public utility lot, environmental reserve, municipal reserve or municipal and school reserve under a former Act as defined in Part 17, the ownership of the land becomes vested in the new municipal authority in place of the old municipal authority, and

(2) If the land referred to in subsection (1)(c) is sold or money instead of land is received by the old municipal authority after the notice under section 103 or 116 is received, the proceeds of the sale or the money received must be paid to the new municipal authority.

(14) The following is added after section 144:

Bylaws respecting maternity and parental leave for councillors

144.1(1) A council of a municipality may, by bylaw, having regard to the need to balance councillors' roles as parents with their responsibilities as representatives of residents, establish whether councillors are entitled to take leave prior to or after the birth or adoption of their child.

(2) If a bylaw under subsection (1) entitles councillors to take leave, the bylaw must contain provisions

(a) respecting the length of the leave and other terms and conditions of the leave entitlement, and

(b) addressing how the municipality will continue to be represented during periods of leave.

(15) Section 174(2) is repealed and the following is substituted:

(2) A councillor is not disqualified by being absent from regular council meetings under subsection (1)(d) if

(a) the absence is authorized by a resolution of council passed at any time

(i) before the end of the last regular meeting of the council in the 8-week period, or

(ii) if there is no other regular meeting of the council during the 8-week period, before the end of the next regular meeting of the council,

or

(b) the absence is in accordance with a bylaw under section 144.1.

(16) Section 191 is amended by adding the following after subsection (2):

(3) Subsection (2) does not apply to a revision or repeal under section 63.

(14) Bylaws respecting maternity and parental leave for councillors.

(15) Section 174(2) presently reads:

(2) A councillor is not disqualified by being absent from regular council meetings under subsection (1)(d) if the absence is authorized by a resolution of council passed

(a) at any time before the end of the last regular meeting of the council in the 8-week period, or

(b) if there is no other regular meeting of the council during the 8-week period, at any time before the end of the next regular meeting of the council.

(16) Section 191 presently reads:

191(1) The power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.

(17) Section 224 is amended by adding the following after subsection (3):

(3.1) The petition must have attached to it the affidavits referred to in subsection (3).

(18) Section 225(3) is amended by adding the following after clause (a):

(a.1) whose signature is witnessed but for which no affidavit is attached to the petition,

(2) The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise.

(17) Section 224 presently reads:

224(1) A petition must consist of one or more pages, each of which must contain an identical statement of the purpose of the petition.

(2) The petition must include, for each petitioner,

(a) the printed surname and printed given names or initials of the petitioner,

(b) the petitioner's signature,

(c) the street address of the petitioner or the legal description of the land on which the petitioner lives, and

(d) the date on which the petitioner signs the petition.

(3) Each signature must be witnessed by an adult person who must

(a) sign opposite the signature of the petitioner, and

(b) take an affidavit that to the best of the person's knowledge the signatures witnessed are those of persons entitled to sign the petition.

(4) The petition must have attached to it a signed statement of a person stating that

(a) the person is the representative of the petitioners, and

(b) the municipality may direct any inquiries about the petition to the representative.

(18) Section 225(3) presently reads:

(3) In counting the number of petitioners on a petition there must be excluded the name of a person

(a) whose signature is not witnessed,

(19) Section 243(1) is amended by adding the following after clause (b):

(b.1) the amount of expenditures and transfers needed to meet the municipality's obligations as a member of a growth management board;

(b) whose signature appears on a page of the petition that does not have the same purpose statement that is contained on all the other pages of the petition,

(c) whose printed name is not included or is incorrect,

(d) whose street address or legal description of land is not included or is incorrect,

(e) if the date when the person signed the petition is not stated,

(f) when a petition is restricted to certain persons,

(i) who is not one of those persons, or

(ii) whose qualification as one of those persons is not, or is incorrectly, described or set out,

or

(g) who signed the petition more than 60 days before the date on which the petition was filed with the chief administrative officer.

(19) Section 243(1) presently reads:

243(1) An operating budget must include the estimated amount of each of the following expenditures and transfers:

(a) the amount needed to provide for the council's policies and programs;

(b) the amount needed to pay the debt obligations in respect of borrowings made to acquire, construct, remove or improve capital property;

(c) the amount needed to meet the requisitions or other amounts that the municipality is required to pay under an enactment;

(d) if necessary, the amount needed to provide for a depreciation or depletion allowance, or both, for its municipal public utilities as defined in section 28;

(e) the amount to be transferred to reserves;

(f) the amount to be transferred to the capital budget;

(20) Section 284 is amended by adding the following after subsection (3):

(4) In this Part and Parts 11 and 12, "complaint deadline" means 60 days after the notice of assessment date set under section 308.1 or 324(2)(a.1).

(21) Section 294(1) is amended

(a) by striking out "purpose of preparing an assessment of the property or determining if the property is to be assessed" **and substituting** "purpose of carrying out the duties and responsibilities of the assessor under Parts 9 to 12 and the regulations";

(b) in clause (b) by striking out "to assist the assessor in preparing the assessment or determining if the property is to be assessed".

(22) Section 303(f.1) is repealed.

(23) Section 304(1) is amended

(a) in clause (d) by striking out "part of the station grounds of a railway or part of a right of way for a railway" **and substituting** "part of the station grounds of, or of a right of way for, a railway other than railway property, or a right of way for ";

(b) by adding the following after clause (d):

(d.1)	railway property;	(d.1)	the owner of the railway property;

(g) the amount needed to recover any shortfall as required under section 244.

(20) Definition of complaint deadline added.

(21) Section 294(1) presently reads:

294(1) After giving reasonable notice to the owner or occupier of any property, an assessor may at any reasonable time, for the purpose of preparing an assessment of the property or determining if the property is to be assessed,

(a) enter on and inspect the property,

(b) request anything to be produced to assist the assessor in preparing the assessment or determining if the property is to be assessed, and

(c) make copies of anything necessary to the inspection.

(22) Section 303(f.1) presently reads:

303 The assessment roll must show, for each assessed property, the following:

(f.1) the liability code assigned by the assessor, in the form and manner prescribed by the regulations;

(23) Section 304(1)(d) presently reads:

304(1) The name of the person described in column 2 must be recorded on the assessment roll as the assessed person in respect of the assessed property described in column 1.

(d)	*a parcel of land forming part of the station grounds of a railway or part of a right of way for a railway, irrigation works as defined in the Irrigation Districts Act or drainage works as*	*(d)*	*the holder of the lease, licence or permit or the person who occupies the land with the consent of that holder;*

(24) Section 305 is amended by adding the following after subsection (1):

(1.1) Where an assessor corrects the assessment roll in respect of an assessment about which a complaint has been made, the assessor must send to the assessment review board or the Municipal Government Board, as the case may be, no later than the time required by the regulations,

(a) a copy of the amended assessment notice, and

(b) a statement containing the following information:

(i) the reason for which the assessment roll was corrected;

(ii) what correction was made;

(iii) how the correction affected the amount of the assessment.

(1.2) Where the assessor sends a copy of an amended assessment notice under subsection (1.1) before the date of the hearing in respect of the complaint,

(a) the complaint is cancelled,

(b) the complainant's complaint fees must be returned, and

(c) the complainant has a new right of complaint in respect of the amended assessment notice.

defined in the Drainage Districts Act, that is held under a lease, licence or permit from the person who operates the railway, or from the irrigation district or the board of trustees of the drainage district;

(24) Section 305 presently reads in part:

305(1) If it is discovered that there is an error, omission or misdescription in any of the information shown on the assessment roll,

(a) the assessor may correct the assessment roll for the current year only, and

(b) on correcting the roll, an amended assessment notice must be prepared and sent to the assessed person.

(25) The following is added after section 308:

Notice of assessment date

308.1(1) An assessor must annually set a notice of assessment date, which must be no earlier than January 1 and no later than July 1.

(2) An assessor must set additional notice of assessment dates for amended and supplementary assessment notices, but none of those notice of assessment dates may be later than the date that tax notices are required to be sent under Part 10.

(26) Section 310 is amended

(a) in subsection (1) by striking out "subsection (1.1)" **and substituting** "subsections (1.1) and (3)";

(b) by adding the following after subsection (2):

(3) An assessment notice must be sent at least 7 days prior to the notice of assessment date.

(4) A designated officer must certify the date on which the assessment notice is sent.

(5) The certification of the date referred to in subsection (4) is evidence that the assessment notice has been sent.

(27) Section 322(1) is amended by adding the following after clause (e.1):

(e.11) respecting the providing of information by the provincial assessor to a municipality under section 299.2, including, without limitation, regulations

(i) requiring the provincial assessor and the municipality to enter into a confidentiality agreement with respect to that information, and

(ii) respecting the terms and conditions of a confidentiality agreement;

(25) Notice of assessment date.

(26) Section 310 presently reads:

310(1) Subject to subsection (1.1), assessment notices must be sent no later than July 1 of each year.

(1.1) An amended assessment notice must be sent no later than the date the tax notices are required to be sent under Part 10.

(2) If the mailing address of an assessed person is unknown,

(a) a copy of the assessment notice must be sent to the mailing address of the assessed property, and

(b) if the mailing address of the property is also unknown, the assessment notice must be retained by the municipality or the assessor designated by the Minister, as the case may be, and is deemed to have been sent to the assessed person.

(27) Additional regulation-making authority added.

(28) Section 324(2) is amended by adding the following after clause (a):

(a.1) a new notice of assessment date is to be established,

(29) Section 334(1) is amended by adding the following after clause (f):

(f.1) information on how to request a receipt for taxes paid;

(30) Section 342 is amended by adding "and the assessed person requests a receipt" **after** "a municipality".

(28) Section 324(2) presently reads:

(2) On quashing an assessment, the Minister must provide directions as to the manner and times in which

(a) the new assessment is to be prepared,

(b) the new assessment is to be placed on the assessment roll, and

(c) amended assessment notices are to be sent to the assessed persons.

(29) Section 334(1) presently reads:

334(1) A tax notice must show the following:

(a) the same information that is required to be shown on the tax roll;

(b) the date the tax notice is sent to the taxpayer;

(c) the amount of the requisitions, any one or more of which may be shown separately or as part of a combined total;

(d) except when the tax is a property tax, the date by which a complaint must be made, which date must not be less than 30 days after the tax notice is sent to the taxpayer;

(e) the name and address of the designated officer with whom a complaint must be filed;

(f) the dates on which penalties may be imposed if the taxes are not paid;

(g) any other information considered appropriate by the municipality.

(30) Section 342 presently reads:

342 When taxes are paid to a municipality, the municipality must provide a receipt.

(31) Section 358.1 is amended

(a) in subsections (1)(a) and (3) by striking out "the date this section comes into force" **and substituting** "May 31, 2016";

(b) by adding the following after subsection (3):

(3.1) If in any year after 2016 a non-conforming municipality has a tax ratio that is greater than 5:1, the non-conforming municipality shall reduce its tax ratio for subsequent years in accordance with the regulations.

(c) in subsections (4) and (5) by striking out "the year in which this section comes into force" **and substituting** "2016";

(d) by adding the following after subsection (7):

(8) The Lieutenant Governor in Council may, for the purposes of subsection (3.1), make regulations establishing one or more ranges of tax ratios that must be reduced to 5:1 within a specified period.

(31) Section 358.1 presently reads:

358.1(1) In this section,

(a) "non-conforming municipality" means a municipality that has a tax ratio greater than 5:1 as calculated using the property tax rates set out in its most recently enacted property tax bylaw as at the date this section comes into force;

(b) "non-residential" means non-residential as defined in section 297(4);

(c) "tax ratio", in respect of a municipality, means the ratio of the highest non-residential tax rate set out in the municipality's property tax bylaw for a year to the lowest residential tax rate set out in the municipality's property tax bylaw for the same year.

(2) No municipality other than a non-conforming municipality shall in any year have a tax ratio greater than 5:1.

(3) A non-conforming municipality shall not in any year have a tax ratio that is greater than the tax ratio as calculated using the property tax rates set out in its most recently enacted property tax bylaw as at the date this section comes into force.

(4) If in any year after the year in which this section comes into force a non-conforming municipality has a tax ratio that is less than the tax ratio it had in the previous year but greater than 5:1, the non-conforming municipality shall not in any subsequent year have a tax ratio that is greater than that new tax ratio.

(5) If in any year after the year in which this section comes into force a non-conforming municipality has a tax ratio that is equal to or less than 5:1, the non-conforming municipality shall not in any subsequent year have a tax ratio greater than 5:1.

(6) Where an order to annex land to a municipality contains provisions respecting the tax rate or rates that apply to the annexed land, the tax rate or rates shall not be considered for the purposes of determining the municipality's tax ratio.

(7) For the purposes of this section,

(32) Section 359.1(1) is amended by striking out "section 326(a)(ii)" **and substituting** "section 326(1)(a)(ii)".

(33) Section 359.2(1) is amended by striking out "section 326(a)(iii)" **and substituting** "section 326(1)(a)(iii)".

(34) Section 361(c) is amended by adding "conservation reserves," **after** "environmental reserves,".

(35) Section 362(1)(a) is amended by adding "other than property that is held by a Provincial corporation as defined in the *Financial Administration Act*" **after** "in property".

(36) The following is added after section 362:

Electric energy generation systems exemptions

362.1 Despite sections 359.1(4) and 359.2(4), the Minister may by order exempt, in respect of a taxation year, to any extent the Minister considers appropriate, one or more electric power systems used or intended for use in the generation or gathering of electricity from taxation for the purpose of raising

(a) the tax set out in a municipality's property tax bylaw to raise revenue to be used toward the payment of

(i) the expenditures and transfers set out in the budget of the municipality, and

(ii) the requisitions,

shall be considered to be separate tax rates, and

(b) the tax rate for the requisitions shall not be considered for the purposes of determining the municipality's tax ratio.

(32) Section 359.1(1) presently reads:

359.1(1) In this section, "Alberta School Foundation Fund requisition" means a requisition referred to in section 326(a)(ii).

(33) Section 359.2(1) presently reads:

359.2(1) In this section, "school board requisition" means a requisition referred to in section 326(a)(iii).

(34) Section 361(c) presently reads:

361 The following are exempt from taxation under this Division:

(c) environmental reserves, municipal reserves, school reserves, municipal and school reserves and other undeveloped property reserved for public utilities.

(35) Section 362(1)(a) presently reads:

362(1) The following are exempt from taxation under this Division:

(a) any interest held by the Crown in right of Alberta or Canada in property;

(36) Electric energy generation systems exemptions.

the revenue needed to pay the requisitions referred to in section 326(1)(a)(ii) and (iii).

(37) Section 363(3) is amended by striking out "section 326(a)" **and substituting** "section 326(1)(a)".

(38) Section 370 is amended by adding the following after clause (e):

(f) respecting the circumstances in which property is to be considered to be used in connection with a purpose, activity or other thing for the purposes of one or more provisions of this Part;

(g) respecting the circumstances in which property is to be considered to be held by a person or entity for the purposes of one or more provisions of this Part.

(39) Division 4 of Part 10 is repealed and the following is substituted:

(37) Section 363(3) presently reads:

(3) A council may by bylaw make any property referred to in subsection (1)(d) subject to taxation to any extent the council considers appropriate other than for the purpose of raising revenue needed to pay the requisitions referred to in section 326(a).

(38) Section 370 presently reads:

370 The Minister may make regulations

(a) prescribing the extent to which residences and farm buildings are exempt from taxation under this Division;

(b) respecting the calculation of a tax rate to be imposed on linear property;

(c) describing other property that is exempt from taxation pursuant to section 362(1)(n), and respecting the qualifications and conditions required for the purposes of section 362(1)(n);

(c.1) respecting tax rolls and tax notices including, without limitation, regulations

(i) respecting the information to be shown on a tax roll and a tax notice;

(ii) providing for the method of determining the person liable to pay a property or other tax imposed under this Part;

(iii) respecting the sending of tax notices;

(d) specifying licences for the purposes of section 365(2);

(e) defining a community association for the purposes of this Act.

(39) Repeal and replacement of Division 4 of Part 10.

Division 4
Establishment of Business Improvement Area and Business Improvement Area Tax

Purpose

380.1 A council may by bylaw establish a business improvement area for one or more of the following purposes:

(a) improving, beautifying and maintaining property in the business improvement area;

(b) developing, improving and maintaining public parking in the business improvement area;

(c) promoting the business improvement area as a business or shopping area.

Board

380.2(1) A business improvement area is governed by a board consisting of members appointed by council under the business improvement area bylaw.

(2) The board is a corporation.

Civil liability of board members

380.3(1) In this section, "approved budget" means a budget of the board of a business improvement area that has been approved by council.

(2) A member of a board of a business improvement area that makes an expenditure that is not included in an approved budget is liable to the municipality for the expenditure.

(3) If more than one member is liable to the municipality under this section in respect of a particular expenditure, the members are jointly and severally liable to the municipality for the expenditure.

(4) The liability may be enforced by action by

(a) the municipality, or

(b) a person who is liable to pay the business improvement area tax imposed in respect of the business improvement area.

Business improvement area tax

380.4(1) A council may, by bylaw, impose a business improvement area tax in respect of a business improvement area.

(2) A council must pass a business improvement area tax bylaw in respect of each business improvement area.

(3) The business improvement area tax bylaw authorizes the council to impose a tax on businesses in the business improvement area, except

(a) businesses that are referred to in section 351 or 375, and

(b) if applicable, the administration or management office of the business improvement area located in the business improvement area.

(4) The person liable to pay a business improvement area tax is the person who operates a business in the business improvement area.

Regulations

380.5 The Minister may make regulations

(a) respecting the establishment or modification of a business improvement area;

(b) setting out what must be included in a business improvement area bylaw;

(c) respecting the appointment, term and renewal of membership of members of the board of a business improvement area;

(d) respecting the powers and duties of a board of a business improvement area and a board's annual budget;

(e) respecting the disestablishment of a business improvement area and the dissolution of a board of a business improvement area;

(f) that operate despite Part 8, authorizing a municipality to lend money to a board of a business improvement area and to borrow money on behalf of a board;

(g) establishing restrictions on the providing of money to a board of a business improvement area by a municipality;

(h) respecting a business improvement area tax, including, without limitation, regulations respecting the assessment, administration, collection and frequency of payment of a business improvement area tax;

(i) respecting any other matter or thing that the Minister considers necessary for carrying out the intent and purpose of this Division.

(40) Section 437(c) is amended by adding the following after subclause (i):

(i.1) a business improvement area tax,

(41) Section 482(2)(a) is repealed and the following is substituted:

(a) an assessment notice was sent at least 7 days prior to the notice of assessment date, or

(40) Section 437(c) presently reads:

437 In this Division,

(c) "tax" means

(i) a business tax,

(ii) a well drilling equipment tax,

(ii.1) a community aggregate payment levy, or

(iii) a property tax or community revitalization levy imposed in respect of property referred to in section 304(1)(c), (f), (g), (h), (i), (j)(i) or (k);

(41) Section 482(2) presently reads:

(2) A statutory declaration signed by a designated officer is admissible in evidence as proof, in the absence of evidence to the contrary, that

(a) an assessment notice was sent on the date shown on the assessment notice. or

(b) a tax notice was sent on the date shown on the tax notice.

(42) Section 491(1)(a) is amended by striking out "the date shown on the assessment notice" **and substituting** "the complaint deadline".

(43) Section 493 is amended

(a) in subsection (1) by striking out "written statement" **and substituting** "form";

(b) in subsection (2)

(i) by striking out "written statement" **and substituting** "form";

(ii) by striking out "the statement" **and substituting** "the form".

(44) Section 494(1) is amended

(a) in clause (a)

(i) by striking out "written statement" **and substituting** "form";

(ii) by striking out "the statement" **and substituting** "the form";

(b) in clause (b) by striking out "written statement" **and substituting** "form".

(45) Section 519 is amended by striking out "written statement" **and substituting** "form".

(42) Section 491(1)(a) presently reads:

491(1) Any matter that is to be dealt with by a hearing before the Board must be in the form prescribed by the regulations and must be filed with the administrator within the following periods:

(a) for a complaint about an assessment for linear property, not later than the date shown on the assessment notice;

(43) Section 493 presently reads:

493(1) On receiving a written statement referred to in section 491(1), the administrator must set a date, time and location for a hearing before the Board in accordance with the regulations.

(2) If the written statement relates to a complaint about an assessment for linear property, the administrator must advise the Minister that the statement has been received.

(44) Section 494(1) presently reads:

494(1) If a matter is to be heard by the Board, the administrator must

(a) within 30 days after receiving a written statement under section 491(1), provide the municipality with a copy of the statement, and

(b) within the time prescribed by the regulations, notify the municipality, the person who sent the written statement to the administrator and any assessed person who is affected by the matter to be heard of the date, time and location of the hearing.

(45) Section 519 presently reads:

519 Sending a written statement to the Board under section 491(1) does not relieve any person from the obligation to pay any taxes owing on the property or business or any penalties imposed for late payment of taxes.

(46) Section 525(3)(a) is repealed and the following is substituted:

(a) an assessment notice was sent at least 7 days prior to the notice of assessment date, or

(47) Section 574 is amended

(a) in subsection (1) by adding ", a report of an official administrator under section 575.1" **after** "section 571";

(b) by repealing subsection (2) and substituting the following:

(2) If an order of the Minister under subsection (1) is not carried out to the satisfaction of the Minister and the Minister considers that the municipality continues to be managed in an irregular, improper or improvident manner or if an order of the Minister under section 570(c) is not carried out to the satisfaction of the Minister, and all reasonable efforts to resolve the situation have been attempted and have been unsuccessful, the Minister may make one or more of the following orders:

(a) an order suspending the authority of the council to make bylaws in respect of any matter specified in the order;

(b) an order exercising bylaw-making authority in respect of all or any of the matters for which bylaw-making authority is suspended under clause (a);

(c) an order removing a suspension of bylaw-making authority, with or without conditions;

(d) an order withholding money otherwise payable by the Government to the municipal authority pending compliance with an order of the Minister;

(e) an order repealing, amending and making policies and procedures with respect to the municipal authority;

(f) an order suspending the authority of a development authority or subdivision authority and providing for a

(46) Section 525(3)(a) presently reads:

(3) A statutory declaration signed by a designated officer is admissible in evidence as proof, in the absence of evidence to the contrary, that

(a) an assessment notice was sent on the date shown on the assessment notice, or

(47) Section 574(1) and (2) presently read:

574(1) If, because of an inspection under section 571, an inquiry under section 572 or an audit under section 282, the Minister considers that a municipality is managed in an irregular, improper or improvident manner, the Minister may by order direct the council, the chief administrative officer or a designated officer of the municipality to take any action that the Minister considers proper in the circumstances.

(2) If an order of the Minister under this section is not carried out to the satisfaction of the Minister, the Minister may dismiss the council or any member of it or the chief administrative officer.

person to act in its place pending compliance with conditions specified in the order;

(g) an order requiring or prohibiting any other action as necessary to ensure an order is complied with;

(h) an order dismissing the council or any member of it or the chief administrative officer.

(c) by adding the following after subsection (2):

(2.1) Before making an order under subsection (2), the Minister must give the municipal authority notice of the intended order and at least 14 days in which to respond.

(48) The following is added after section 575:

Reports of official administrators

575.1 An official administrator appointed under this Part shall on request of the Minister, and may at any other time, report to the Minister on any matter respecting the municipality or its council or administration or any intermunicipal matter.

Enforcement where municipality under supervision

575.2(1) If the Minister considers that a municipality has, while under the supervision of an official administrator,

(a) incurred a liability or disposed of money or property without the written approval of the official administrator required by section 575(2)(a), or

(b) acted on a bylaw or resolution that has been disallowed by the official administrator under section 575(2)(b),

the Minister may take any necessary measures to address the situation, including, without limitation, making one or more orders referred to in section 574(2)(a) to (h).

(2) Before making an order under subsection (1), the Minister must give the municipal authority notice of the intended order and at least 14 days in which to respond.

(48) Reports of official administrators, enforcement where municipality under supervision.

(49) The following is added after section 579:

Minister's decisions

579.1(1) An applicant seeking injunctive relief from a court against any order, decision or direction of the Minister under this Part must give the Minister at least 10 days' notice of the application.

(2) An order, decision or direction of the Minister under this Part is not stayed by an application for judicial review but remains in effect pending the court's decision on the judicial review application.

(50) Section 596(1)(d) is repealed and the following is substituted:

(d) to pay to other municipalities any portion of the taxes levied and collected that the Minister may by order determine.

(51) Section 602.36(1) is repealed and the following is substituted:

Directions and dismissal

602.36(1) If because of an inspection under section 602.35 or a report of an official administrator under this Division the Minister considers that a commission is managed in an irregular, improper or improvident manner, the Minister may by order direct the board of the commission to take any action that the Minister considers proper in the circumstances.

(1.1) If an order of the Minister under this section is not carried out to the satisfaction of the Minister and the Minister considers that the commission continues to be managed in an irregular, improper or improvident manner, and all reasonable efforts to resolve the situation have been attempted and have been unsuccessful, the Minister may make one or more of the following orders:

(a) an order suspending the authority of the board to make bylaws in respect of any matter specified in the order;

(49) Minister's decisions.

(50) Section 596(1)(d) presently reads:

596(1) The taxes and all other revenues collected on behalf of an improvement district may be expended under the direction of the Minister

(d) to pay to other municipalities that portion of the taxes levied and collected under section 594 that the Minister may by order determine.

(51) Section 602.36(1) presently reads:

602.36(1) If because of an inspection under section 602.35 the Minister considers that a commission is managed in an irregular, improper or improvident manner, the Minister may by order direct the board of the commission to take any action that the Minister considers proper in the circumstances.

(b) an order exercising bylaw-making authority in respect of all or any of the matters for which bylaw-making authority is suspended under clause (a);

(c) an order removing a suspension of bylaw-making authority, with or without conditions;

(d) an order withholding money otherwise payable by the Government to the commission pending compliance with an order of the Minister;

(e) an order repealing, amending and making policies and procedures with respect to the commission;

(f) an order requiring or prohibiting any other action as necessary to ensure an order is complied with;

(g) an order dismissing the board or any director.

(1.2) Before making an order under subsection (1.1), the Minister must give the commission notice of the intended order and at least 14 days in which to respond.

(52) The following is added after section 602.37:

Reports of official administrators

602.371 An official administrator appointed under this Division shall on request of the Minister, and may at any other time, report to the Minister on any matter respecting

(a) the commission or its board or administration, or

(b) any matter respecting the provision of services by the commission.

Enforcement where regional services commission under supervision

602.372(1) If the Minister considers that a commission has, while under the supervision of an official administrator,

(a) incurred a liability or disposed of money or property without the written approval of the official administrator required by section 602.37(2)(a), or

(52) Reports of official administrators, enforcement where regional services commission under supervision.

(b) acted on a bylaw or resolution that has been disallowed by the official administrator under section 602.37(2)(b),

the Minister may take any necessary measures to address the situation, including, without limitation, making one or more orders referred to in section 602.36(1.1)(a) to (g).

(2) Before making an order under subsection (1), the Minister must give the commission notice of the intended order and at least 14 days in which to respond.

(53) Section 603.1 is amended

(a) in subsection (3)(c) by adding "subject to subsection (3.1)," **before** "June 30, 2017";

(b) by adding the following after subsection (3):

(3.1) For the purposes of the following regulations, subsection (3)(c) shall be read as June 30, 2018:

(a) *Alberta Central East Water Corporation Regulation* (AR 137/2013);

(b) *Aquatera Utilities Inc. Regulation* (AR 205/2013);

(c) *Aqueduct Utilities Corporation Regulation* (AR 92/2012);

(d) *Chestermere Utilities Incorporated Regulation* (AR 163/2013);

(e) *Extension of Linear Property Regulation* (AR 207/2012);

(f) *NEW water Ltd. Regulation* (AR 159/2012);

(g) *Newell Regional Services Corporation Regulation* (AR 153/2012);

(h) *Peace Regional Waste Management Company Regulation* (AR 41/2011).

(53) Section 603.1(3) presently reads:

(3) Despite section 603(2), a regulation referred to in subsection (1) of this section that is in force on the coming into force of this section is repealed on the earliest of

(a) the coming into force of an amendment that adds the matter to this Act;

(b) the coming into force of a regulation that repeals the regulation;

(c) June 30, 2017.

(54) Section 616 is amended by adding the following after clause (j):

(j.1) "joint use and planning agreement" means an agreement under section 670.1;

(55) Section 633(2)(b) is amended by striking out "other matters" **and substituting** "other matters, including matters relating to reserves, as".

(56) Section 636(1) is amended by striking out "and" **at the end of clause (d) and by adding the following after clause (e):**

(f) in the case of an area structure plan, where the land that is the subject of the plan is within 1.6 kilometres of a provincial highway, notify the Minister responsible for the *Public Highways Development Act* of the plan preparation and provide opportunities for the Minister to make suggestions and representations,

(g) in the case of a municipal development plan, notify

(i) the Indian band of any adjacent Indian reserve, or

(ii) any adjacent Metis settlement

(54) Definition added.

(55) Section 633(2) presently reads:

(2) An area structure plan

(a) must describe

(i) the sequence of development proposed for the area,

(ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,

(iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and

(iv) the general location of major transportation routes and public utilities,

and

(b) may contain any other matters the council considers necessary.

(56) Section 636(1) presently reads:

636(1) While preparing a statutory plan a municipality must

(a) provide a means for any person who may be affected by it to make suggestions and representations,

(b) notify the public of the plan preparation process and of the means to make suggestions and representations referred to in clause (a),

(c) notify the school boards with jurisdiction in the area to which the plan preparation applies and provide opportunities to those authorities to make suggestions and representations,

(d) in the case of a municipal development plan, notify adjacent municipalities of the plan preparation and provide

of the plan preparation and provide opportunities to that Indian band or Metis settlement to make suggestions and representations, and

(h) in the case of an area structure plan, where the land that is the subject of the plan is adjacent to an Indian reserve or Metis settlement, notify the Indian band or Metis settlement of the plan preparation and provide opportunities for that Indian band or Metis settlement to make suggestions and representations.

(57) Section 642(3) is amended by striking out "a copy of it must be given to the applicant" **and substituting** "a copy of the decision, together with a written notice specifying the date on which the decision was made and containing any other information required by the regulations, must be given or sent to the applicant on the same day the decision is made".

(58) Section 645 is amended by adding the following after subsection (2):

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

opportunities to those municipalities to make suggestions and representations, and

(e) in the case of an area structure plan, where the land that is the subject of the plan is adjacent to another municipality, notify that municipality of the plan preparation and provide opportunities to that municipality to make suggestions and representations.

(57) Section 642(3) presently reads:

(3) A decision of a development authority on an application for a development permit must be in writing, and a copy of it must be given to the applicant.

(58) Section 645 presently reads:

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

(a) this Part or a land use bylaw or regulations under this Part, or

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

(a) stop the development or use of the land or building in whole or in part as directed by the notice,

(b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

(59) Section 648 is amended

(a) by adding the following after subsection (1):

(1.1) A bylaw may not impose an off-site levy on land owned by a school board that is to be developed for a school building project within the meaning of the *School Act*.

(b) in subsection (2) by adding the following after clause (c.1):

(c.2) subject to the regulations, new or expanded transportation infrastructure required to connect, or to improve the connection of, municipal roads to provincial highways resulting from a subdivision or development;

(c) in subsection (2)(d) by striking out "to (c.1)" **and substituting** "to (c.2)";

(d) in subsection (5)(b) by striking out "to (c.1)" **and substituting** "to (c.2)".

within the time set out in the notice.

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

(59) Section 648 presently reads in part:

648(1) For the purposes referred to in subsection (2), a council may by bylaw

(a) provide for the imposition and payment of a levy, to be known as an "off-site levy", in respect of land that is to be developed or subdivided, and

(b) authorize an agreement to be entered into in respect of the payment of the levy.

(2) An off-site levy may be used only to pay for all or part of the capital cost of any or all of the following:

(a) new or expanded facilities for the storage, transmission, treatment or supplying of water;

(b) new or expanded facilities for the treatment, movement or disposal of sanitary sewage;

(c) new or expanded storm sewer drainage facilities;

(c.1) new or expanded roads required for or impacted by a subdivision or development;

(d) land required for or in connection with any facilities described in clauses (a) to (c.1)

(5) An off-site levy collected under this section, and any interest earned from the investment of the levy,

(a) must be accounted for separately from other levies collected under this section, and

(b) must be used only for the specific purpose described in subsection (2)(a) to (c.1) for which it is collected or for the land required for or in connection with that purpose.

(60) Section 666 is amended

(a) in subsection (2) by striking out "The aggregate" **and substituting** "Subject to section 670.2(9), the aggregate";

(b) in subsection (3) by striking out "section 667" **and substituting** "section 667 or, in the case of land referred to in section 670.2, the value determined in accordance with the regulations under that section";

(c) in subsection (4)(b) by striking out "appraised market value of the land required under" **and substituting** "value referred to in".

(61) Section 667 is amended by adding the following after subsection (1):

(1.1) Subsection (1) does not apply in respect of money required to be provided under section 670.2.

(60) Section 666 presently reads in part:

(2) The aggregate amount of land that may be required under subsection (1) may not exceed the percentage set out in the municipal development plan, which may not exceed 10% of the parcel of land less the land required to be provided as environmental reserve and the land made subject to an environmental reserve easement.

(3) The total amount of money that may be required to be provided under subsection (1) may not exceed 10% of the appraised market value, determined in accordance with section 667, of the parcel of land less the land required to be provided as environmental reserve and the land subject to an environmental reserve easement.

(4) When a combination of land and money is required to be provided, the sum of

(a) the percentage of land required under subsection (2), and

(b) the percentage of the appraised market value of the land required under subsection (3)

may not exceed 10% or a lesser percentage set out in the municipal development plan.

(61) Section 667 presently reads:

667(1) If money is required to be provided in place of municipal reserve, school reserve or municipal and school reserve, the applicant must provide

(a) a market value appraisal of the existing parcel of land as of a specified date occurring within the 35-day period following the date on which the application for subdivision approval is made

(i) as if the use proposed for the land that is the subject of the proposed subdivision conforms with any use prescribed in a statutory plan or land use bylaw for that land, and

(ii) on the basis of what might be expected to be realized if the land were in an unsubdivided state and sold in the open market by a willing seller to a willing buyer on the date on which the appraisal is made,

(62) Section 670(1) is amended by adding "as municipal reserve, school reserve or municipal and school reserve" **after** "reserve land is required to be provided".

(63) The following is added after section 670:

Joint use and planning agreements

670.1(1) Where on the coming into force of this section a school board is operating within the municipal boundaries of a municipality, the municipality must, within 3 years after this section comes into force, enter into an agreement under this section with the school board.

(2) Where after the coming into force of this section a school board commences operating within the municipal boundaries of a municipality, the municipality must, within 3 years after the school board commences operating in the municipality, enter into an agreement under this section with the school board.

(3) An agreement under this section must contain provisions

(a) establishing a process for discussing matters relating to

or

(b) if the applicant and the subdivision authority agree, a land value based on a method other than that described in clause (a).

(2) If money is required to be provided in place of municipal reserve, school reserve or municipal and school reserve, the subdivision authority must specify the amount of money required to be provided at the same time that subdivision approval is given.

(62) Section 670(1) presently reads:

670(1) When reserve land is required to be provided, the subdivision authority must specify the amount, type and location of reserve land that is to be provided, regardless of whether money is also required to be provided, and allocate the municipal reserve, school reserve and municipal and school reserve between the municipality and each school board concerned as joint owners or as separate owners

(a) in accordance with an agreement made between the municipality and the school boards, or

(b) in the absence of an agreement, in accordance with the needs of each of them as those needs are determined by the subdivision authority.

(63) Joint use and planning agreements, funding future reserves.

(i) the planning, development and use of school sites on municipal reserves, school reserves and municipal and school reserves in the municipality,

(ii) transfers under section 672 or 673 of municipal reserves, school reserves and municipal and school reserves in the municipality,

(iii) disposal of school sites,

(iv) the servicing of school sites on municipal reserves, school reserves and municipal and school reserves in the municipality, and

(v) the use of school facilities, municipal facilities and playing fields on municipal reserves, school reserves and municipal and school reserves in the municipality, including matters relating to the maintenance of the facilities and fields and the payment of fees and other liabilities associated with them,

(b) respecting how the municipality and the school board will work collaboratively,

(c) establishing a process for resolving disputes, and

(d) establishing a time frame for regular review of the agreement,

and may, subject to this Act, the regulations, the *School Act* and the regulations under that Act, contain any other provisions the parties consider necessary or advisable.

(4) More than one municipality may be a party to a joint use and planning agreement.

(5) A joint use and planning agreement may be amended from time to time as the parties consider necessary or advisable.

Funding future reserves

670.2(1) In this section, "reserve land assembly area" means an area of land referred to in subsection (2).

(2) A municipality may, by bylaw, in accordance with the regulations, identify and delineate the boundaries of an area of land in respect of which the municipality

(a) expects a future need for municipal reserve, school reserve or municipal and school reserve, and

(b) will require money to fund future purchases of land to increase the size of municipal reserve, school reserve or municipal and school reserve, or a combination of them, within the area and to service the land.

(3) A bylaw under subsection (2) must contain an estimate, prepared in accordance with the regulations, of the costs of purchasing land in the future to increase the size of municipal reserve, school reserve or municipal and school reserve, or a combination of them, within the reserve land assembly area and of servicing the land.

(4) Where on a subdivision approval application a subdivision authority requires a combination of land and money to be provided under section 666(1)(c), the municipality may, if the land lies within a reserve land assembly area identified by bylaw under subsection (2) and the amount of money does not exceed 5% of the value, as determined in accordance with the regulations, of the land at the time the application for subdivision approval was received by the subdivision authority,

(a) retain the money in a fund, or

(b) in the case of money required to be provided in place of school reserve or municipal and school reserve, allocate any or all of the money in accordance with an agreement between the municipality and each school board concerned and retain the remainder, if any, in a fund.

(5) Money in a fund under subsection (4)(a) must be used only for the purposes of purchasing land to increase the size of municipal reserve, school reserve or municipal and school reserve, or a combination of them, within the reserve land assembly area and of servicing the land.

(6) Money in a fund under subsection (4)(b) must be used only for the purposes of purchasing land to increase the size of school reserve or municipal and school reserve, or a

combination of them, within the reserve land assembly area and of servicing the land.

(7) Any interest earned on a fund under subsection (4)(a) or (b) accrues to the fund.

(8) Money in a fund under subsection (4)(a) or (b) must be accounted for separately from other money.

(9) A subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision within a reserve land assembly area to provide an amount of land that exceeds the aggregate amount of land that could be taken as municipal reserve, school reserve or municipal and school reserve under sections 666(2) and 668.

(10) Where a subdivision authority requires the owner of a parcel of land to provide land under subsection (9), the municipality must, within 30 days after the Registrar issues a new certificate of title for the land under section 665(2), pay compensation to the landowner in an amount equal to the value, as determined in accordance with the regulations, of the amount of land that exceeds the aggregate amount of land that could be taken as municipal reserve, school reserve or municipal and school reserve under sections 666(2) and 668.

(11) The Minister may make regulations

(a) respecting reserve land assembly areas and the identification of reserve land assembly areas, including, without limitation, regulations respecting

(i) the amount of land that may be identified as a reserve land assembly area,

(ii) circumstances in which land may be identified as a reserve land assembly area;

(iii) factors that must be taken into consideration and factors that must not be taken into consideration in determining the size of a reserve land assembly area;

(iv) estimates of costs for the purposes of subsection (3), including, without limitation, what an estimate must include and the factors that must be taken into

consideration and factors that must not be taken into consideration in preparing an estimate;

(v) the location of municipal reserve, school reserve or municipal and school reserve within a reserve land assembly area;

(b) respecting the determination of the value of land for the purposes of subsection (4) or (10), or both;

(c) respecting funds under subsection (4) and the use of money in a fund;

(d) respecting the determination of the value of land proposed to be purchased for a purpose referred to in subsection (5) or (6);

(e) respecting any other matter or thing that the Minister considers necessary for carrying out the intent and purpose of this section.

(64) Section 686(1) is repealed and the following is substituted:

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board

(a) in the case of an appeal made by a person referred to in section 685(1)

(i) with respect to an application for a development permit,

(A) within 21 days after the date on which the decision is made under section 642, or

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

(64) Section 686(1) presently reads:

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

(a) in the case of an appeal made by a person referred to in section 685(1), after

(i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

(ii) if no decision is made with respect to the application within the 40-day period or within any extension under section 684, the date the period or extension expires,

or

(b) in the case of an appeal made by a person referred to in section 685(2), after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

or

(b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(65) Section 694(1) is amended by adding the following after clause (c):

(c.1) respecting the information to be contained in a development authority's notice of a decision or order;

(65) Section 694(1) presently reads:

694(1) The Lieutenant Governor in Council may make regulations

(a) respecting applications for the subdivision and development of land;

(b) respecting subdivision and development standards and requirements;

(c) respecting the information to be contained in a subdivision authority's notice of a decision;

(d) respecting the additional municipal reserve, school reserve or municipal and school reserve that a subdivision authority may require to be provided under this Part;

(e) respecting the records to be kept by a subdivision authority and a development authority;

(f) prescribing the conditions that a subdivision authority and a development authority are permitted to impose when granting subdivision or development approval in addition to those conditions permitted to be imposed under this Part;

(g) conferring or imposing, with or without conditions, any power or duty under the regulations on the Minister, the Municipal Government Board, a subdivision authority or a development authority;

(h) setting out distances for the purpose of section 678(2)(a);

(i) authorizing the Minister or the Minister's delegate to order, either generally or specifically, that all or part of the

(66) The *School Act* is amended

(a) in section 1(1)

(i) by adding the following after clause (n):

(n.1) "joint use and planning agreement" means an agreement referred to in section 62.1;

(ii) in clause (p) by adding ", except in section 62.1," **before** "means";

(b) by adding the following after section 62:

Joint use and planning agreements

62.1(1) In this section,

(a) "municipality" has the meaning given to it in section 1(1)(s) of the *Municipal Government Act*;

(b) "municipal reserve", "municipal and school reserve" and "school reserve" have the meanings given to them in section 616 of the *Municipal Government Act*.

(2) Where on the coming into force of this section a board is operating within the municipal boundaries of one or more municipalities, the board must, within 3 years after this section comes into force, or if the Minister extends that period under subsection (4), within the extended period, enter into an agreement under section 670.1 of the *Municipal Government Act* with each of the municipalities.

(3) Where after the coming into force of this section a board commences operating within the municipal boundaries of a municipality, the board must, within 3 years after it commences operating in the municipality, or if the Minister extends that period under subsection (4), within the extended period, enter into an agreement under section 670.1 of the *Municipal Government Act* with the municipality.

regulations under this subsection do not apply to all or part of Alberta.

(66) Joint use and planning agreements. Sections 1(1)(p), 63(1) and 197 presently read:

1(1) In this Act,

(p) "municipal authority" means a municipality, improvement district and special area and, if the context requires, in the case of an improvement district and special area,

(i) the geographical area of the improvement district or special area, or

(ii) the Minister, where the improvement district or special area is authorized or required to act;

63(1) A council may by bylaw authorize the revision of all or any of the bylaws of the municipality.

197 Subject to the prior approval of the Minister, a board may enter into an agreement

(a) with one or more other boards for the joint construction, ownership, control, management, maintenance, operation or use of a school building or a building to be used primarily by students of one or more districts or divisions, or

(b) with one or more other boards, persons or municipalities for the joint construction, ownership, control, management, maintenance, operation or use of a public work or building.

(4) The Minister may extend the 3-year period under subsection (2) or (3) in respect of all boards or one or more specified boards.

(5) More than one board may be a party to an agreement referred to in this section.

(6) An agreement may be amended from time to time as the parties consider necessary or advisable.

(c) in section 63(1) by striking out "section 62(1)(a)(ii) or 197" **and substituting** "section 62(1)(a)(ii), 62.1 or 197";

(d) in section 197 by renumbering it as section 197(1) and adding the following after subsection (1):

(2) Subject to the regulations, subsection (1) does not apply to joint use and planning agreements.

(3) The Minister may make regulations respecting the extent to which subsection (1) applies to joint use and planning agreements.

Modernized Municipal Government Act

Amends SA 2016 c24

2(1) The *Modernized Municipal Government Act* is amended by this section.

(2) Section 5 is amended in the new section 2.1 by striking out "within the meaning of the *Indian Act* (Canada)".

(3) Section 9 is amended by renumbering the new section 54 as section 54(1) and by adding the following after subsection (1):

(2) Without limiting the generality of subsection (1)(b), a municipality may enter into an agreement respecting services with an Indian band or a Metis settlement.

(4) The following is added after section 13:

13.1 Section 127 is amended by renumbering it as section 127(1) and adding the following after subsection (1):

(2) Where under section 664.2 a municipality has paid compensation to a landowner for conservation reserve that is subsequently annexed by order to another municipality, the order must require the municipality to which the land is annexed to pay compensation to the other municipality in the same amount that was paid to the landowner.

2(1) Amends chapter 24 of the Statutes of Alberta, 2016.

(2) The new section 2.1 presently reads:

2.1 No municipality, improvement district or special area constituted under the Special Areas Act includes land set apart as an Indian reserve within the meaning of the Indian Act (Canada).

(3) The new section 54 presently reads:

54 A municipality may provide outside its municipal boundaries any service or thing that it provides within its municipal boundaries

(a) in another municipality, but only with the agreement of the other municipality, and

(b) in any other location within or adjoining Alberta, but only with the agreement of the authority whose jurisdiction includes the provision of the service or thing at that location.

(4) Adds compensation requirement respecting conservation reserve. Section 127 presently reads:

127 Section 295 is amended

(a) by repealing subsection (1) and substituting the following:

295(1) A person must provide, on request by an assessor, any information necessary for the assessor to carry out the duties and responsibilities of an assessor under Parts 9 to 12 and the regulations.

(b) by repealing subsection (2) and substituting the following:

(2) The Alberta Safety Codes Authority or an agency accredited under the Safety Codes Act must release, on request by an assessor, information or documents respecting a permit issued under the Safety Codes Act.

(c) in subsection (4)

(5) The following is added after section 19:

19.1 Section 243(1) is amended by adding the following after clause (c):

(c.1) the amount of expenditures and transfers needed to meet the municipality's obligations for services funded under an intermunicipal collaboration framework;

(6) Section 27(d) is amended by adding the following after the new section 295(5):

(6) Despite section 294(1) and subsection (1) of this section, where an assessment of property is the subject of a complaint under Part 11 or 12 by the person assessed in respect of that property,

(i) by striking out "linear" and substituting "designated industrial";

(ii) by striking out "the information" and substituting "any information".

(d) by adding the following after subsection (4):

(5) Information collected under this section must be reported to the Minister on the Minister's request.

(5) Section 243(1) presently reads:

243(1) An operating budget must include the estimated amount of each of the following expenditures and transfers:

(a) the amount needed to provide for the council's policies and programs;

(b) the amount needed to pay the debt obligations in respect of borrowings made to acquire, construct, remove or improve capital property;

(c) the amount needed to meet the requisitions or other amounts that the municipality is required to pay under an enactment;

(d) if necessary, the amount needed to provide for a depreciation or depletion allowance, or both, for its municipal public utilities as defined in section 28;

(e) the amount to be transferred to reserves;

(f) the amount to be transferred to the capital budget;

(g) the amount needed to recover any shortfall as required under section 244.

(6) Additional provision added to section 295.

(a) the assessed person is not obligated to provide information or produce anything to an assessor in respect of that assessment, and

(b) the assessor has no authority under section 294(1)(c) to make copies of anything the assessed person refuses to provide or produce relating to that assessment

until after the complaint has been heard and decided by the assessment review board or the Municipal Government Board, as the case may be.

(7) Section 29 is amended by repealing the new section 297(2.1) and substituting the following:

(2.1) A council may by bylaw divide class 2 into the sub-classes prescribed by the regulations, and if the council does so, the assessor must assign one or more of the prescribed sub-classes to a property in class 2.

(8) Section 30 is amended

(a) in the new section 299

(i) by repealing subsection (3) and substituting the following:

(3) Where a complaint is filed under section 461 by the person assessed in respect of property, a municipality is not obligated to respond to a request by that person for information under this section in respect of an assessment of that property until the complaint has been heard and decided by an assessment review board.

(ii) by adding the following after subsection (3):

(4) Subsection (3) does not apply if the request for information is in respect of an amended assessment and the amended assessment notice was issued during the complaint period.

(b) in the new section 299.1

(i) by repealing subsection (3) and substituting the following:

(7) The new section 297(2.1) presently reads:

(2.1) The assessor must assign the sub-classes prescribed by the regulations to property in class 2.

(8) The new sections 299(3) and 299.1(3) presently read:

299(3) A municipality is not obligated to respond to a request for information in respect of a property that is made after a complaint is filed under section 460 by the person assessed in respect of that property until the complaint has been heard and decided by an assessment review board.

299.1(3) The provincial assessor is not obligated to respond to a request for information in respect of designated industrial property that is made after a complaint is filed under section 492(1) by the person assessed in respect of that property until the complaint has been heard and decided by the Municipal Government Board.

(3) Where a complaint described in section 492(1) is filed under section 491(1) by the person assessed in respect of designated industrial property, the provincial assessor is not obligated to respond to a request by that person for information under this section in respect of an assessment of that designated industrial property until the complaint has been heard and decided by the Municipal Government Board.

(ii) by adding the following after subsection (3):

(4) Subsection (3) does not apply if the request for information is in respect of an amended assessment and the amended assessment notice was issued during the complaint period.

(c) by adding the following after the new section 299.1:

Municipal access to provincial assessment record

299.2(1) A municipality may ask the provincial assessor, in the manner required by the provincial assessor, to let the municipality see or receive information in the provincial assessor's possession at the time of the request, showing how the provincial assessor prepared the assessment of designated industrial property in the municipality.

(2) Subject to subsection (3) and the regulations, the provincial assessor must comply with a request under subsection (1).

(3) Where a complaint described in section 492(1) is filed under section 491(1) by a municipality in respect of designated industrial property, the provincial assessor is not obligated to respond to a request by that municipality for information under this section in respect of an assessment of that designated industrial property until the complaint has been heard and decided by the Municipal Government Board.

(4) Subsection (3) does not apply if the request for information is in respect of an amended assessment and the amended assessment notice was issued during the complaint period.

(5) Information obtained by a municipality under this section must be used only for assessment purposes and must not be disclosed except at the hearing of a complaint before the Municipal Government Board.

(9) Section 35 is amended by repealing the new section 303.1(f).

(10) Section 40 is repealed and the following is substituted:

40 Section 309 is repealed and the following is substituted:

Contents of assessment notice

309(1) An assessment notice or an amended assessment notice must show the following:

(a) the same information that is required to be shown on the assessment roll;

(b) the notice of assessment date;

(c) a statement that the assessed person may file a complaint not later than the complaint deadline;

(d) information respecting filing a complaint in accordance with the regulations.

(2) An assessment notice may be in respect of a number of assessed properties if the same person is the assessed person for all of them.

(9) The new section 303.1 presently reads in part:

303.1 The provincial assessment roll must show, for each assessed designated industrial property, the following:

(f) the liability code assigned by the provincial assessor, in the form and manner prescribed by the regulations;

(10) The new section 309 presently reads:

309(1) An assessment notice or an amended assessment notice must show the following:

(a) the same information that is required to be shown on the assessment roll;

(b) the date the assessment notice or amended assessment notice is sent to the assessed person;

(c) the date by which a complaint must be made;

(d) for an assessment of property other than designated industrial property, the name and address of the assessment review board where a complaint must be filed;

(e) for an assessment of designated industrial property, information respecting how a complaint must be filed with the Municipal Government Board;

(f) any other information considered appropriate by the municipality or the provincial assessor, as the case may be.

(2) The date shown under subsection (1)(c) must be 60 days after the assessment notice or amended assessment notice is sent to an assessed person.

(3) An assessment notice may include a number of assessed properties if the same person is the assessed person for all of them.

(11) Section 45 is amended by repealing the new section 316.1 and substituting the following:

Contents of supplementary assessment notice

316.1(1) A supplementary assessment notice must show, for each assessed improvement, the following:

(a) the same information that is required to be shown on the supplementary assessment roll;

(b) the notice of assessment date;

(c) a statement that the assessed person may file a complaint not later than the complaint deadline;

(d) information respecting filing a complaint in accordance with the regulations.

(2) Sections 308(2), 309(2), 310(1.1) and (3) and 312 apply in respect of supplementary assessment notices.

(12) Section 47(a) is amended

(a) in subclause (i)

(i) in the new section 322(1)(b) by striking out "**,**"operational" ";

(ii) by adding the following after the new section 322(1)(b):

(b.01) respecting when property is to be considered operational for the purposes of one or more provisions of this Part;

(b) in subclause (v) in the new section 322(1)(h.3) by adding "or 299.2" **after** "section 299.1".

(11) The new section 316.1 presently reads:

316.1(1) A supplementary assessment notice must show, for each assessed improvement, the following:

(a) the same information that is required to be shown on the supplementary assessment roll;

(b) the date the supplementary assessment notice is sent to the assessed person;

(c) the date by which a complaint must be made;

(d) the address to which a complaint must be sent.

(2) The date shown under subsection (1)(c) must be

(a) in the case of a supplementary assessment notice for designated industrial property referred to in section 316(2), 60 days after a copy of the supplementary assessment notice is sent to the municipality under section 316(2)(c), or

(b) in any other case, 60 days after the supplementary assessment notice is sent to the assessed person.

(3) Sections 309(3), 310(1.1) and 312 apply in respect of supplementary assessment notices.

(12) The new section 322(1) presently reads in part:

322(1) The Minister may make regulations

(b) defining "electric power systems", "facilities", "farming operations", "farm building", "machinery and equipment", "operational", "operator", "pipelines", "railway property", "street lighting systems", "telecommunication systems" and "wells";

(h.3) respecting procedures and time-lines to be followed by a provincial assessor in dealing with a request for information under section 299.1 or a request for a summary of an assessment under section 300.1;

(13) Section 62 is amended in the new section 461

(a) in subsection (1)(b) by striking out "date shown on that notice under section 309(1)(c) or 316.1(1)(c)" **and substituting** "complaint deadline";

(b) by adding the following after subsection (1):

(1.1) A complaint filed after the complaint deadline is invalid.

(14) Section 78(b) is amended in the new section 493(2)

(a) by striking out "written statement" **and substituting** "form";

(b) by striking out "the statement" **and substituting** "the form".

(15) Section 79(b) is amended in the new section 494(1)(b)(ii) by striking out "written statement" **and substituting** "form".

(16) Section 98 is amended

(a) in clause (b) in the new section 632(2.1) by striking out "2 years" **and substituting** "3 years";

(13) The new section 461 presently reads:

461(1) A complaint must be filed with the assessment review board at the address shown on the assessment or tax notice for the property

(a) in the case of a complaint about a designated officer's decision to refuse to grant an exemption or deferral under section 364.1, not later than the date stated on the written notice of refusal under section 364.1(9), or

(b) in any other case, not later than the date shown on that notice under section 309(1)(c) or 316.1(1)(c).

(2) The applicable filing fee must be paid when a complaint is filed.

(3) On receiving a complaint, the clerk must set a date, time and location for a hearing before an assessment review board in accordance with the regulations.

(14) The new section 493(2) presently reads:

(2) If the written statement relates to a complaint about an assessment for designated industrial property, the chair must advise the provincial assessor that the statement has been received.

(15) The new section 494(1)(b)(ii) presently reads:

(b) within the time prescribed by the regulations, notify

(i) the municipality,

(ii) the person who sent the written statement to the chair,

(iii) the provincial assessor, and

(iv) any assessed person who is directly affected by the matter

of the date, time and location of the hearing.

(16) The new section 632(2.1) and (3) presently read in part:

(b) by adding the following after clause (b):

(c) in subsection (3) by striking out "and" **at the end of clause (e), by adding** "and" **at the end of clause (f) and by adding the following after clause (f):**

(g) may contain policies respecting the provision of conservation reserve in accordance with section 664.2(1)(a) to (d).

(17) Section 104 is amended

(a) in clause (d) by striking out "**after** "subsection (2)(a) to (c.1)" " **and substituting** "**before** "for which" ";

(b) in clause (e)

(i) in the new section 648(8) by striking out "subsection (2.1)" **and substituting** "subsection (2) or (2.1)";

(ii) by adding the following after the new section 648(8):

(9) If, before the coming into force of this subsection, a bylaw was made that purported to impose a fee or other charge on a developer for a purpose described in subsection (2) or (2.1),

(a) that bylaw is deemed to have been valid and enforceable to the extent that it imposed a fee or charge for a purpose described in subsection (2) or (2.1) before the coming into force of this subsection, and

(b) any fee or charge imposed pursuant to the bylaw before the coming into force of this subsection is deemed to have been validly imposed and collected effective from the date the fee or charge was imposed.

(2.1) Within 2 years after the coming into force of this subsection, a council of a municipality that does not have a municipal development plan must by bylaw adopt a municipal development plan.

(3) A municipal development plan

(e) must contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school boards, and

(f) must contain policies respecting the protection of agricultural operations.

(17) The new section 648(2.1) and (8) presently read:

(2.1) In addition to the capital cost of facilities described in subsection (2), an off-site levy may be used to pay for all or part of the capital cost for any of the following purposes, including the cost of any related appurtenances and any land required for or in connection with the purpose:

(a) new or expanded community recreation facilities;

(b) new or expanded fire hall facilities;

(c) new or expanded police station facilities;

(d) new or expanded libraries.

(8) If, before the coming into force of this subsection, a fee or other charge was imposed on a developer by a municipality pursuant to a development agreement entered into by the developer and the municipality for one or more purposes described in subsection (2.1), that fee or charge is deemed

(a) to have been imposed pursuant to a bylaw under this section, and

(b) to have been validly imposed and collected effective from the date the fee or charge was imposed.

(18) Section 105 is amended by adding the following before the new section 648.1:

Intermunicipal off-site levy

648.01(1) For the purpose of section 648(1) and subject to the requirements of section 12, 2 or more municipalities may provide for an off-site levy to be imposed on an intermunicipal basis.

(2) Where 2 or more municipalities provide for an off-site levy to be imposed on an intermunicipal basis, the municipalities shall enter into such agreements as are necessary to attain the purposes described in section 648(2) or (2.1) that are to be funded by an off-site levy under section 648(1), by a framework made under Part 17.2 or by any other agreement.

(3) For greater clarity, where 2 or more municipalities provide for an off-site levy to be imposed on an intermunicipal basis under subsection (1) for the purposes described in section 648(2.1), the benefitting area determined in accordance with the regulations may comprise any combination of land in the participating municipalities.

(4) If a bylaw providing for an off-site levy to be imposed on an intermunicipal basis is appealed under section 648.1, the corresponding bylaws of the other participating municipalities are deemed to also be appealed.

(19) Section 116 is amended in the new section 664.2(1)(d) by adding "and area structure plan" **after** "municipal development plan".

(20) Section 120 is repealed and the following is substituted:

120 The following is added after section 674:

Disposal of conservation reserve

674.1(1) Subject to this section, a municipality must not sell, lease or otherwise dispose of conservation reserve and must ensure that the land remains in its natural state.

(18) Intermunicipal off-site levy.

(19) The new section 664.2(1) presently reads in part:

664.2(1) A subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land to the municipality as conservation reserve if

(d) the taking of the land as conservation reserve is consistent with the municipality's municipal development plan.

(20) Disposal of conservation reserve; removal of designation as conservation reserve.

(2) A municipality may dispose of conservation reserve if all of the features referred to in section 664.2(1)(a) are wholly or substantially destroyed by fire, flood or another event beyond the municipality's control with the result that, in the opinion of council, there is no remaining purpose in protecting or conserving the land.

(3) Before a municipality disposes of conservation reserve under subsection (2),

(a) a public hearing must be held in accordance with section 230 and must be advertised in accordance with section 606, and

(b) notices containing the information required under section 606 must be posted on or near the conservation reserve that is the subject of the hearing.

(4) Despite subsections (2) and (3),

(a) if a municipality receives a notice under section 103 of a proposed amalgamation, the municipality must not dispose of conservation reserve lying within the municipality until after the report under section 106 is submitted to the Minister and the amalgamation proceedings, if any, are complete, and

(b) if a municipality receives a notice under section 116 of a proposed annexation of land, the municipality must not dispose of conservation reserve lying within the proposed annexation area until after the report under section 118 is submitted to the Municipal Government Board and the annexation proceedings, if any, are complete.

Removal of designation as conservation reserve

674.2(1) A council may, after taking into consideration the representations made at a public hearing under section 674.1(3), direct a designated officer to notify the Registrar that the provisions of this Division have been complied with and request the Registrar to remove the designation of conservation reserve.

(2) If the Registrar is satisfied that this Part has been complied with, the Registrar must remove the designation in accordance with the request made under subsection (1).

(3) On removal of the designation, the municipality may sell, lease or otherwise dispose of the land, but the proceeds from the sale, lease or other disposition may be used only for the purpose of enabling the municipality to protect and conserve land that, in the opinion of council, has environmentally significant features or for a matter connected to that purpose.

(21) Section 131(b) is amended in the new section 694(4) by adding the following after clause (d):

(e) respecting transportation infrastructure to connect, or to improve the connection of, municipal roads to provincial highways resulting from a subdivision or development;

(f) respecting intermunicipal off-site levies.

(22) Section 134 is amended

(a) by adding the following after the new section 708.32:

Participation by Indian bands and Metis settlements

708.321 Municipalities that are parties to a framework may invite an Indian band or Metis settlement to participate in the

(21) The new section 694(4) presently reads:

(4) The Lieutenant Governor in Council may make regulations

(a) respecting the calculation of an off-site levy in a bylaw for a purpose referred to in section 648(2.1) and the maximum amount that a municipality may establish or impose and collect as a redevelopment levy or an off-site levy, either generally or specifically;

(b) respecting the principles and criteria that must be applied by a municipality when passing an off-site levy bylaw;

(c) respecting the determination of the benefitting area for a purpose under section 648(2) or 648(2.1) and the extent of the anticipated benefit to the future occupants of the land on which the off-site levy is being imposed;

(d) respecting appeals to the Municipal Government Board under section 648.1, including, without limitation,

(i) the filing of a notice of an appeal,

(ii) the time within which an appeal may be brought, and

(iii) the process and procedures of an appeal.

(22) Participation by Indian bands and Metis settlements in the delivery and funding of services. The new section 708.41(2) presently reads:

(2) Each municipality's proportion of the costs must be determined by dividing the amount of that municipality's equalized assessment

delivery and funding of services to be provided under the framework.

(b) in the new section 708.41(2) by striking out "municipalities' equalized assessments" **and substituting** "municipalities".

(23) Section 138 is repealed.

Municipal Government Amendment Act, 2015

Amends SA 2015 c8

3(1) The *Municipal Government Amendment Act, 2015* is amended by this section.

(2) Section 56 is amended

(a) by repealing clause (a) and substituting the following:

(a) in subsection (2) by striking out "or" **at the end of clause (a), by adding** "or" **at the end of clause (b) and by adding the following after clause (b):**

(c) given by a method provided for in a bylaw under section 606.1.

(b) by repealing clause (b).

(3) Section 57 is amended

(a) in the new section 606.1(4) by striking out "section 606(2)(a), (b) or (c)" **and substituting** "section 606(2)(a) or (b)";

by the sum of the equalized assessments of all of the municipalities' equalized assessments as set out in the most recent equalized assessment.

(23) Section 138 presently reads:

138 The Lieutenant Governor in Council may make regulations providing for the transitional application of the amendments to the Municipal Government Act made by this Act.

Municipal Government Amendment Act, 2015

3(1) Amends chapter 8 of the Statutes of Alberta, 2015.

(2) Section 56 presently reads:

56 Section 606 is amended

(a) in subsection (2) by striking out "or" at the end of clause (a) and adding the following after clause (b):

(c) published on the municipality's website, or

(d) given by a method provided for in a bylaw under section 606.1.

(b) in subsection (6) by striking out "and" at the end of clause (c), adding "and" at the end of clause (d) and adding the following after clause (d):

(e) a copy of the proposed bylaw, resolution or other thing and any document relating to it or to the meeting or public hearing, if the notice is being advertised on a municipality's website under subsection (2)(c).

(3) Section 57 presently reads:

57 The following is added after section 606:

(b) in the new section 606.1(6) by striking out "advertised" **and substituting** "made available for public inspection".

(4) Section 61 is amended in the new section 627.1(3) by striking out "a person who holds an appointment as a designated officer under section 455" **and substituting** "a person who holds an appointment as a clerk under section 456".

Advertisement bylaw

606.1(1) A council may by bylaw provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606.

(2) Before making a bylaw under subsection (1), council must be satisfied that the method the bylaw would provide for is likely to bring proposed bylaws, resolutions, meetings, public hearings and other things advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates or in which the meeting or hearing is to be held.

(3) Council must conduct a public hearing before making a bylaw under subsection (1).

(4) A notice of a bylaw proposed to be made under subsection (1) must be advertised in a manner described in section 606(2)(a), (b) or (c) or by a method provided for in a bylaw made under this section.

(5) A notice of a bylaw proposed to be made under subsection (1) must contain

(a) a statement of the general purpose of the proposed bylaw,

(b) the address or website where a copy of the proposed bylaw may be examined, and

(c) an outline of the procedure to be followed by anyone wishing to file a petition in respect of the proposed bylaw.

(6) A bylaw passed under this section must be advertised.

(4) Section 61 presently reads:

61 The following is added after section 627:

627.1(1) A council that establishes a subdivision and development appeal board must appoint, and a council that authorizes the establishment of a subdivision and development appeal board must authorize the appointment of, one or more clerks of the subdivision and development appeal board.

(5) Section 79(a), (b), (c), (e), (h), (i) and (j) are repealed.

(2) If the subdivision and development appeal board is an intermunicipal subdivision and development appeal board, the councils that authorize its establishment must appoint one or more clerks.

(3) A clerk appointed under this section must be a designated officer and may be a person who holds an appointment as a designated officer under section 455.

(4) No designated officer is eligible for appointment under this section unless that designated officer has successfully completed a training program in accordance with the regulations made under section 627.3(a).

(5) No subdivision authority or development authority is eligible for appointment under this section.

(5) Section 79 presently reads in part:

79 The following regulations are repealed:

(a) Alberta Central East Water Corporation Regulation (AR 137/2013);

(b) Aquatera Utilities Inc. Regulation (AR 205/2013);

(c) Aqueduct Utilities Corporation Regulation (AR 92/2012);

(e) Chestermere Utilities Incorporated Regulation (AR 163/2013);

(h) NEW water Ltd. Regulation (AR 159/2012);

(i) Newell Regional Services Corporation Regulation (AR 153/2012);

(j) Peace Regional Waste Management Company Regulation (AR 41/2011);

Local Authorities Election Act

Amends RSA 2000 cL-21

4(1) The *Local Authorities Election Act* is amended by this section.

(2) Section 27(1) is amended by striking out "and" **at the end of clause (a.1), by adding** "and" **at the end of clause (b) and by adding the following after clause (b):**

(c) that the person will read and comply with the municipality's code of conduct if elected,

Transitional Regulations and Coming into Force

Transitional — regulations

5 The Lieutenant Governor in Council may make regulations providing for the transitional operation of the amendments to the *Municipal Government Act* made by this Act and by the *Modernized Municipal Government Act*, including, without limitation, regulations modifying or suspending the operation of one or more provisions of the *Municipal Government Act* during the period specified in the regulations.

6(1) Section 1, except subsections (31), (32), (33), (34), (36), (37), (50) and (53), comes into force on Proclamation.

(2) Section 1(31) is deemed to have come into force on May 31, 2016.

(3) Section 1(36) comes into force on July 1, 2017.

(4) Section 4 comes into force on October 1, 2018.

Local Authorities Election Act

4(1) Amends chapter L-21 of the Revised Statutes of Alberta 2000.

(2) Section 27(1) presently reads:

27(1) Every nomination of a candidate shall be in the prescribed form and signed by at least 5 electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination, and shall be accompanied with a written acceptance signed in the prescribed form by the person nominated, stating

(a) that the person is eligible to be elected to the office,

(a.1) the name, address and telephone number of the person's official agent, and

(b) that the person will accept the office if elected,

and if required by bylaw, it must be accompanied with a deposit in the required amount.

Transitional Regulations and Coming into Force

5 Transitional — regulations.

6 Coming into force.

RECORD OF DEBATE

Stage	Date	Member	From	To

Questions and Comments	From	To

Stage	Date	Member	From	To

Questions and Comments	From	To

Stage	Date	Member	From	To

Questions and Comments	From	To

Stage	Date	Member	From	To

Questions and Comments	From	To