

1967 Bill 78

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Fifth Session, 15th Legislature, 15 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ~~ALBERTA~~

## **BILL 78**

**An Act to amend The County Act**

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THE MINISTER OF MUNICIPAL AFFAIRS

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First Reading .....

Second Reading .....

Third Reading .....

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# BILL 78

1967

An Act to amend The County Act

(Assented to \_\_\_\_\_, 1967)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The County Act* is hereby amended.

2. The following section is added after section 3:

3a. (1) Subject to the approval of the electors, the municipal administration of a town, village and improvement district located within or coterminous with the boundaries of a school division and the school administration of the school division, may be merged in the manner provided in this section.

(2) The Minister shall arrange to hold a plebiscite of the electors of the towns, villages and improvement district and make all necessary arrangements therefor, to determine whether or not the electors wish to have a merger of the towns, villages, improvement district and school division into a single form of local self-government with the responsibility for the administration of school and municipal affairs, if so requested by

- (a) the councils of the towns and villages, representing at least one-half of the population of the total population of the towns and villages and the Minister, on behalf of the improvement district, by resolution, or
- (b) the board of trustees of the school division by resolution, or
- (c) 10 per cent or 500 of the electors, whichever is the lesser, residing within the towns, villages and improvement district by petition.

(3) For the purposes of the plebiscite an elector,

- (a) in the case of an improvement district, shall be as provided for in *The Municipal District Act*, and
- (b) in the case of a town or village, shall be as provided for in *The Town and Village Act*.

(4) The plebiscite shall be held on such date as may be determined by the Minister and if a majority of the electors

## **Explanatory Notes**

- 1.** This Bill amends chapter 64 of the Revised Statutes.
- 2.** A new section is added to enable a school division to be merged with an improvement district and the towns and villages within the improvement district to form a county.

voting vote in favour thereof, the Lieutenant Governor in Council may provide for the dissolution of the towns and villages and the school division and their merger, with the improvement district, into one municipality, to be known as "The County of ..... No.....".

(5) Notwithstanding anything in this or any other Act, the Lieutenant Governor in Council by order may with respect to a county formed under this section

- (a) provide for the election of more than one councillor to represent an electoral division, and
  - (b) authorize the council to levy a different mill rate for municipal purposes in any electoral division, comprised of a former town or village, from that prevailing in the balance of the county, where the surplus brought into the county by the former town or village warrants that action, until such time as the former town or village has received the benefit of the surplus.
- (6) For the purposes of this section,
- (a) a reference to a municipality in sections 7 and 10 shall be deemed to include a town or village,
  - (b) a reference to a reeve shall in this Act be deemed to be a reference to a mayor,
  - (c) a reference to a municipal district shall be deemed to be a reference to a town,
  - (d) a reference to *The Municipal District Act* in sections 9, 13, 20, 25, 26 and 28a shall be deemed to be a reference to *The Town and Village Act* and the corresponding sections therein, and
  - (e) the mayor and council shall be nominated, elected and hold office in accordance with *The Town and Village Act*, except that a councillor shall, subject to subsection (5), be nominated and elected to represent an electoral division,

but, except as otherwise provided in this subsection and subsection (7), the provisions of this Act, the necessary changes being made, apply with respect to a county formed under this section.

(7) The following provisions of this Act do not apply with respect to a county formed under this section, that is, section 4, subsection (3) of section 6, section 11, clause (b) of subsection (1) of section 16 and sections 16a, 16b, 17a, 18, 19, 22 and 23.

**3.** This Act comes into force on the day upon which it is assented to.