

1968 Bill 27

---

---

First Session, 41st Legislature, 1968  
University of Alberta, Edmonton, Alberta  
Elizabeth II

---

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

## **BILL 27**

**An Act to amend The Improvement Districts Act, 1965**

---

---

THE MINISTER OF MUNICIPAL AFFAIRS

---

---

First Reading .....

Second Reading .....

Third Reading .....

---

---

Printed by L. S. Wall, Queen's Printer, Edmonton

# BILL 27

1968

An Act to amend The Improvement Districts Act, 1965

(Assented to \_\_\_\_\_, 1968)

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

1. *The Improvement Districts Act, 1965* is hereby amended.

2. Section 2 is amended by striking out clause (c) and by substituting the following:

(c) "hamlet" means

(i) any area of land subdivided into lots and blocks as a townsite, a plan of which is registered in a land titles office,

(ii) any area of land

(A) comprising a quarter section according to the system of surveys under *The Alberta Surveys Act* or any lesser area the description of which has been approved by the proper land titles office, or

(B) where there has been a subdivision and a plan thereof has been registered in the land titles office, any unsubdivided block or lot, or any part of such block or lot in any area of land shown on such plan,

and on which are erected improvements used for purposes other than farming purposes, and

(iii) any area declared by an order of the Minister to be a hamlet;

3. The following section is added after section 4:

4a. An Indian Reserve is not a part of an improvement district for any purpose whatsoever.

4. Section 35 is amended

(a) as to subsection (2) by striking out the words "ninety dollars per year or seven dollars and fifty cents per month," and by substituting the words "\$120 per year or \$10 per month,"

## **Explanatory Notes**

**1.** This Bill amends chapter 39 of the Statutes of Alberta, 1965.

**2.** The definition of "hamlet" re-enacted in a different form but with exactly the same meaning. Section 2 (c) presently reads:

- (c) "hamlet" means
  - (i) any area of land subdivided into lots and blocks as a town-site, a plan of which is registered in a land titles office,
  - (ii) any area of land as defined by subclauses (i) and (ii) of clause (i) and on which are erected improvements used for purposes other than farming purposes, and
  - (iii) any area declared by an order of the Minister to be a hamlet;

**3.** Self-explanatory.

**4.** The maximum licence fee for a mobile home is raised. The amendment in enacting subclause (b) merely corrects a cross-reference. Section 35 (1), (2) and (7) presently read:

35. (1) The Minister may by order provide for the licensing of mobile homes situated in an improvement district.

(2) The licence fee to be imposed in respect of a mobile home pursuant to an order under this section shall not exceed ninety dollars per year or seven dollars and fifty cents per month, for each calendar month during which the mobile home is within the boundaries of the improvement district.

(7) A mobile home licensed under this section is not liable to assessment pursuant to The Assessment Act, 1960.

(b) as to subsection (7) by striking out the words "*The Assessment Act, 1960*" and by substituting the words "*The Municipal Taxation Act*".

**5.** Section 40 is amended by striking out subsection (2).

**6.** Section 42, subsection (4), clause (a) is amended by striking out the words "either by drilling a well or by the construction of a reservoir".

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

**5. Section 40 presently reads:**

40. (1) Notwithstanding The Public Service Act, 1962, the Minister if he considers it expedient, may appoint by order assessors, technical or professional persons, or such other persons as may be required for the administration of an improvement district.

(2) Where the Minister has directed a new general assessment in an improvement district and the assessment is made by an assessor or assessors appointed pursuant to subsection (1), the cost of the assessment shall be computed in a manner approved by the Minister and an amount not exceeding seventy-five per cent of the computed cost shall be borne by the improvement district and the remaining percentage of the cost may be borne by the Provincial Treasurer from such funds as may be appropriated therefor by the Legislature.

Subsection (2) is redundant to some extent and in conflict to some extent with subsection (2) of section 8 of The Municipalities Assessment and Equalization Act, chapter 61 of the Statutes of Alberta, 1957, which reads, along with subsection (1) thereof:

8. (1) The Chief Provincial Assessor, upon receipt of a request therefor from any municipality other than a city, may designate one or more assessors of the Chief Provincial Assessor's staff to make the assessment required in any such municipality.

(2) Whenever an assessment is made pursuant to subsection (1) the cost of the assessment shall be computed in a manner approved by the Minister and an amount not exceeding 75 per cent of the computed cost shall constitute a debt due to the Crown by the municipality and shall be paid by the municipality concerned upon submission of the account of the Department of Municipal Affairs and the remaining percentage of the cost shall be borne by the Department of Municipal Affairs.

**6. Section 42 (4) (a) presently reads:**

(4) The Minister may, in respect of a hamlet situated within an improvement district, provide for

(a) the supplying of water within the hamlet either by drilling a well or by the construction of a reservoir, and  
.....

This amendment removes the restriction on the method of providing for water supply.