

1969 Bill 10

Second Session, 16th Legislature, 18 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 10

An Act to amend The County Act

THE MINISTER OF MUNICIPAL AFFAIRS

First Reading

Second Reading

Third Reading

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1969

An Act to amend The County Act

(Assented to _____, 1969)

HER 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. Section 3, subsection (1) is amended by adding after the words "the county may," the words "on such terms and conditions as he considers proper,".
3. Section 5 is amended by striking out subsection (1) and by substituting the following:
 5. (1) After the establishment of a county,
 - (a) the Minister may by order change the number or areas of the electoral divisions of the county, or
 - (b) the Local Authorities Board may by order change the boundaries of the county in the same manner as similar changes may be made in a municipal district.
4. Section 11 is amended by striking out the word "first" and by substituting the word "organizational".
5. Section 14 is struck out and the following is substituted:
 14. The council shall appoint
 - (a) a municipal secretary in whom all the rights, duties, privileges and powers of the municipal secretary of a municipal district, and the secretary of a school division are vested, and
 - (b) such other officials as may be required to assist the municipal secretary and to provide for the efficient conduct of the business of the county council and any of its committees.

Explanatory Notes

1. This Bill amends chapter 64 of the Revised Statutes.

2. Section 3(1)(a) presently reads:

3. (1) The Lieutenant Governor in Council from time to time by order may establish in any area a local government unit to be known as "The County of No.", may fix its boundaries and by the order establishing the county may,

(a) incorporate into any county the whole or any part of any existing municipality or school division that is within the boundaries of the county,

3. Section 5(1) presently reads:

5. (1) After the establishment of a county, the Minister may by order change the boundaries of the county, or the number or areas of the electoral divisions of the county in the same manner as similar changes may be made in a municipal district.

4. Section 11 presently reads:

11. The county council at its first meeting in each year shall elect a reeve from among its number.

5. Section 14 presently reads:

14. The council shall appoint

(a) a secretary-treasurer in whom all the rights, duties, privileges and powers of the secretary-treasurer of a municipal district, and the secretary-treasurer of a school division shall be vested, and

(b) such other officials as may be required to assist the secretary-treasurer and to provide for the efficient conduct of the business of the county council and any of its committees.

6. Section 15 is amended by striking out subsection (1) and by substituting the following:

15. (1) At its organizational meeting in each year a county council shall appoint a municipal committee which shall consist of not less than three members of the council, one of whom shall be designated as the committee chairman.

7. Section 16 is amended

- (a) as to subsection (1) by striking out the word “first” and by substituting the word “organizational”,
- (b) as to subsection (2) by striking out the words “in each year” and by substituting the words “after the organizational meeting of the county council”.

8. Section 16*a* is amended

- (a) as to subsection (1) by striking out the words “secretary-treasurer” and by substituting the word “secretary”,
- (b) as to subsection (2) by adding at the end thereof the words “and who is an elector of a school district included in the county for school purposes”,
- (c) as to subsection (5) by striking out the words “exceeds three” and by substituting the words “exceeds the number of electoral divisions in the county”.

9. Section 16*b* is amended

- (a) as to subsection (1) by striking out the words “exceed three” and by substituting the words “exceeds the number of electoral divisions in the county”,
- (b) as to subsection (1*a*) by striking out the words “secretary-treasurer” and by substituting the words “municipal secretary”,
- (c) as to subsection (8) by striking out the word “all”.

10. Section 17 is amended

- (a) as to subsection (3*b*) by striking out the words “in which case the total number of representatives that may be appointed under subsection (4) shall not exceed four”,
- (b) by striking out subsections (4) and (4*a*) and by substituting the following:

6. Section 15(1) presently reads:

15. (1) A county council, at its first meeting in each year, shall appoint not less than three members of the council, one of whom shall be designated as the committee chairman, to each of the following committees,

- (a) the municipal committee,
- (b) Repealed. (1960, c. 20, s. 2)
- (c) Repealed. (1961, c. 18, s. 2)

7. Section 16(1) and (2) presently read:

16. (1) At its first meeting in each year a county council shall appoint a school committee which shall consist of

- (a) not less than three members of the council, and
- (b) the representatives to be appointed to the school committee pursuant to sections 16a, 17 and 17a.

(2) The school committee at its first meeting in each year shall elect a chairman from among its number.

8. Section 16a(2) and (5) presently read:

(2) The council of each town or village shall appoint a representative having the same qualifications as are required for a member of a council of a town or village.

(5) If the number of school districts referred to in subsections (2) and (3) exceeds three,

- (a) the representative of a town or village referred to in subsection (2) of section 17, and
- (b) the representatives of towns or villages referred to in subsection (3) of section 17 and who were chosen pursuant to section 16b,

shall be appointed to the school committee.

9. Section 16b(1), (1a) and (8) presently read:

16b. (1) Where the number of school districts referred to in subsections (2) and (3) of section 17 exceed three, the representatives of the towns and villages included in the district referred to in subsection (3) of section 17 shall

- (a) determine the system of representation of their towns and villages on the school committee, and
- (b) choose from among themselves, up to the maximum number permitted under section 17, the representatives to be appointed by the county council to the school committee.

(1a) The first meeting of the representatives of the towns and villages held pursuant to this section shall be called by the secretary-treasurer of the county who shall determine the time and the place for the holding of the meeting.

(8) Before the expiry of the terms of office of the representatives appointed to the school committee, all the representatives shall meet and reconsider their system of representation on the school committee and may decide that the representatives to be appointed to the school committee after the next following election are to be chosen pursuant to that system or pursuant to a different system.

10. Section 17(4), (4a) and (5) presently read:

(4) If the number of school districts referred to in subsections (2) and (3) exceeds three and if the representatives have not been chosen pursuant to section 16b, the county council shall arrange for the representation of the towns or villages included in the school districts referred to in subsection (3) in rotation from year to year in such a manner that the total number of members representing towns and villages appointed under both subsections (2) and (3) does not exceed three.

(4a) Notwithstanding subsection (4) if the number of districts qualifying under subsections (2) and (3b) exceeds two, and there are further districts eligible for representation pursuant to subsection (1), the council shall appoint to the school committee, in the manner provided in subsection (4), one member in excess of the number required to provide representation under subsections (2) and (3b).

(5) No person shall be elected under subsections (2) and (3) as a representative of a town or a village unless he has such qualifications as are required for a member of a council of a town or village under The Municipal Election Act.

(4) If the number of representatives of the school districts referred to in subsections (2), (3) and (3b) exceeds the number of electoral divisions in the county and if the representatives have not been chosen pursuant to section 16b, the county council shall arrange for the representation of the towns or villages included in the school districts referred to in subsection (3) in rotation from year to year in such a manner that the total number of members representing towns and villages appointed under subsections (2), (3) and (3b) does not exceed the number of electoral divisions in the county.

- (c) as to subsection (5) by adding at the end thereof the words "and unless he is an elector of a school district included in the county for school purposes".

11. Section 19 is amended by striking out subsection (1).

12. (1) Subject to subsection (2), this Act comes into force on the day upon which it is assented to.

(2) Section 8, clause (c), section 9, clause (a), section 10, clauses (a) and (b) and section 11 come into force on October 15, 1969.

11. Section 19(1) presently reads:

19. (1) At all times, elected members of the county council shall form a majority of any committee.