

1969 Bill 21

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Second Session, 16th Legislature, 18 Elizabeth II

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THE LEGISLATIVE ASSEMBLY ~~OF~~ ALBERTA

## **BILL 21**

**An Act to amend The Local Authorities Board Act**

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THE MINISTER OF MUNICIPAL AFFAIRS

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First Reading .....

Second Reading .....

Third Reading .....

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

# BILL 21

1969

An Act to amend The Local Authorities Board Act

(Assented to \_\_\_\_\_, 1969)

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

1. *The Local Authorities Board Act* is hereby amended.

2. Section 70 is amended by renumbering the section as subsection (1) and by adding the following after the renumbered subsection (1):

(2) Subsection (1) does not apply to any project undertaken or commenced pursuant to *The Alberta Housing Act, 1968*.

3. The following is added after section 71:

**71a.** (1) If in its opinion

(a) exceptional circumstances exist, or

(b) a severe financial hardship would affect the municipality,

the Board may grant approval to a by-law notwithstanding the failure of a municipality to comply with sections 70 and 71.

(2) The approval may be made subject to such terms and conditions as to the Board seem proper.

4. The following is added after section 137:

**137a.** (1) In this section "predecessor boards" means the Public Utilities Board and the Board of Public Utility Commissioners.

(2) With respect to any matter over which the Local Authorities Board is given jurisdiction,

(a) the Local Authorities Board is the successor to the predecessor boards,

## **Explanatory Notes**

**1.** This Bill amends chapter 46 of the Statutes of Alberta, 1961.

**2.** Section 70 presently reads:

70. Where for the purpose of any work or undertaking or for the acquisition of property or for any other object within its powers a local authority desires to raise moneys by way of debentures, the local authority shall apply to the Board for authority to do so before commencing or undertaking the works or project.

**3.** Section 71 presently reads:

71. (1) In the case of a municipality, the application to the Board shall be made before or forthwith after the first reading of a by-law providing for the debenture and before the by-law is submitted to a vote of the proprietary electors of the municipality.

(2) No further action, including advertising, shall be taken by the municipality upon the by-law providing for the debenture until the authorization of the Board has been obtained as provided in this Part.

**4.** The power of the Local Authorities Board to review previous orders of the Public Utilities Board is clarified.

- (b) any reference in any regulation, order, decision, agreement or other document shall be deemed to be a reference to the Local Authorities Board, and
- (c) the actions, decisions and orders of the predecessor boards shall be deemed to be the actions, decisions and orders of the Local Authorities Board and subject to being reviewed, rescinded, varied or otherwise dealt with according to law by the Local Authorities Board to the same extent and in the same manner as if they were its actions, decisions or orders.

(3) This section shall be deemed to have been in force at all times on and after July 1, 1961.

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

