

1976 Bill 20

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Second Session, 18th Legislature, 25 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 20**

THE MUNICIPAL GOVERNMENT AMENDMENT ACT, 1976

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MR. JAMISON

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 20

1976

## THE MUNICIPAL GOVERNMENT AMENDMENT ACT, 1976

(Assented to \_\_\_\_\_, 1976)

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

1. *The Municipal Government Act is hereby amended.*
2. *Section 20 is amended*
  - (a) *as to subsection (1), clause (a) by striking out the word "registered", and*
  - (b) *by adding the following subsection after subsection (1):*
    - (1.1) In this section
      - (a) "owner" means
        - (i) with reference to territory which is Crown land, the Crown, or
        - (ii) with reference to territory which is not Crown land, the person registered under *The Land Titles Act* as the owner of the fee simple estate in the land;
      - (b) "land" does not include mines and minerals.
3. (1) *Section 20, subsection (1.1), clause (a), (as enacted by section 2 of this Act) is amended by striking out subclause (ii) and by substituting the following*
  - (ii) with reference to territory which is not Crown land,
    - (A) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title to the land, or
    - (B) in the absence of a person described in paragraph (A), the person registered under *The Land Titles Act* as the owner of the fee simple estate in the land,

## Explanatory Notes

**1. This Bill will amend chapter 246 of the Revised Statutes of Alberta 1970.**

**2. Section 20, subsection (1) presently reads:**

20. (1) Where a petition is presented to the Local Authorities Board
- (a) by a majority of the registered owners of any territory in or immediately adjoining a municipality, or
  - (b) by the council of a municipality with respect to any territory in or immediately adjoining the municipality, or
  - (c) by the Minister with respect to territory forming the whole or any part of an improvement district or special area that he desires to have annexed to a municipality,
- requesting that the territory be annexed to the municipality or to another municipality, improvement district or special area, the Board by order may annex territory
- (d) from a municipality to an improvement district, special area or another municipality, or
  - (e) from an improvement district or special area to a municipality.

**3. This amendment will define owner for the purposes of section of the Act.**

and in either case includes a person who has a life estate in the land, notice of which appears on the certificate of title to the land or in respect of which a certificate of title has been issued under *The Land Titles Act*;

(2) *This section applies only to petitions presented under section 20, subsection (1), clause (a) of The Municipal Government Act on or after January 1, 1977.*

4. (1) *No petition heard by or presented to the Local Authorities Board pursuant to section 20, subsection (1), clause (a) of The Municipal Government Act prior to the coming into force of this Act is invalid by reason only of the fact that the persons who presented the petition were a majority of the persons registered under The Land Titles Act as the owners of the fee simple estate in the lands that were the subject of that petition.*

(2) *In this section "lands" does not include mines or minerals.*

5. (1) *This Act, except section 3, comes into force on the day upon which it is assented to.*

(2) *Section 3 comes into force on January 1, 1977.*

**4. Transitional.**