

1979 BILL 232

---

---

First Session, 19th Legislature, 28 Elizabeth II

---

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 232

AN ACT TO AMEND THE MUNICIPAL GOVERNMENT ACT

---

---

MR. PURDY

---

---

First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

*Bill 232*  
*Mr. Purdy*

## **BILL 232**

1979

### **AN ACT TO AMEND THE MUNICIPAL GOVERNMENT ACT**

*(Assented to , 1979)*

**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 amended by this Act.*
- 2. Section 126.2 is amended by adding at the end of it:*  
(7) This section does not apply where the petition calls for a by-law to repeal or amend a by-law or resolution passed during the term of the council in office at the date of submission of the petition.
- 3. This Act comes into force on the day upon which it is assented to.*

## Explanatory Notes

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

**2.** Section 126.2 presently reads:

**126.2** (1) If a petition is submitted to the council for a by-law dealing with any matter within its legislative jurisdiction, the council shall cause a by-law dealing with the subject matter of the petition to be prepared and read a first time.

(2) The petition referred to in subsection (1) has no effect unless the number of electors who have signed the petition equals at least

(a) 3 per cent of the population of the municipality as determined by the latest census, in a municipality having a population of 10,000 or more persons, or

(b) 5 per cent of the population of the municipality as determined by the latest census, in a municipality having a population of less than 10,000 but more than 1,000 persons, or

(c) 7 per cent of the population of the municipality as determined by the latest census, in a municipality having a population of 1,000 persons or less.

(2.1) Notwithstanding subsection (2), in the case of a summer village, a petition referred to in subsection (1) has no effect unless the number of electors who have signed the petition are the registered owners of not less than 10 per cent of those parcels of land within the summer village that are liable to assessment and taxation.

(3) Within four weeks after receiving the petition, the council shall publish the proposed by-law once a week for two consecutive weeks in at least one newspaper circulating within the municipality and shall make provision to submit the by-law to a vote of the electors.

(4) The proceedings upon a vote under this section shall be the same, as far as practicable, as those provided in **The Municipal Election Act** for voting on money by-laws.

(5) If the majority of the votes polled is in favour of the by-law, the by-law as submitted shall be finally passed by the council within four weeks of the voting thereon without any alteration being made therein affecting the substance thereof.

(6) This section does not apply to matters or proceedings under Part 7.