

1981 BILL 231

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Third Session, 19th Legislature, 30 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 231**

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

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DR. BUCK

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 231*  
*Dr. Buck*

## **BILL 231**

1981

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

*(Assented to \_\_\_\_\_, 1981)*

HER 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 The following is added after section 23:*

**23.1(1)** Where the councils of 2 or more adjoining municipalities have within a period of 30 days passed a resolution that the municipalities amalgamate, the question shall be put to the electors of both municipalities in accordance with this section.

(2) Within 30 days after the date of passage by the last council to pass the resolution referred to in subsection (1) the councils may each pass a by-law calling for a plebiscite by the electors in its municipality in accordance with section 122 proposing amalgamation of the municipalities concerned.

(3) After all councils have passed a by-law pursuant to subsection (2), a plebiscite of the electors shall be held in each municipality concerned, on the same date and during the same hours and the question shall be in the form:

“Shall municipality A and municipality B (etc.) be amalgamated into one municipality?”.

(4) A plebiscite on a question of amalgamation shall be accompanied in each municipality by a question in the form:

“Which of the following names do you favour for the new municipality?:

(Here state in alphabetical order every alternate name that has been proposed for consideration by each of the councils concerned.)”

## **Explanatory Notes**

**1** Chapter 246, Revised Statutes of Alberta, 1970.

**2** Plebiscite for amalgamation.

(5) If the question in subsection (3) is approved by a majority of the valid votes cast in each of the municipalities concerned, the municipalities shall be amalgamated into a new municipality on a date, no sooner than 120 days after the plebiscite, agreed by the councils of all of the old municipalities or if no date be agreed by them within 30 days of the date of the plebiscite, on a date determined by the Minister.

(6) The name of the new municipality shall be the name favoured by the largest number of valid votes cast in all the municipalities together.

(7) The date of a plebiscite on questions under subsections (3) and (4) shall be no sooner than 30 days and no later than 60 days after the last by-law passed pursuant to subsection (2).

(8) An election shall be held for a mayor and council for a new municipality no sooner than 60 days after the plebiscite approving amalgamation and no later than 30 days before the effective date of the amalgamation and the mayor and council so elected shall take office on the effective date of the amalgamation.

(9) The returning officer for the election shall be the returning officer of the old municipality with the largest population unless otherwise agreed by all the councils of the old municipalities.

(10) Wards for the election shall be established by agreement between the councils of the old municipalities and in the absence of agreement within 10 days after the plebiscite, by the Minister.

(11) The provisions of section 23 relating to an old municipality shall govern an amalgamating municipality and those relating to a new municipality shall govern the municipality created by the amalgamation.

(12) A plebiscite under this section which does not result in an amalgamation shall prevent any subsequent proceedings under this Act for annexation by any of the municipalities involved in the plebiscite, of any of the other municipalities so involved, for a period of 3 years from the date of the plebiscite.

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

**3** Coming into force.