

1988 BILL 13

Third Session, 21st Legislature, 37 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 13

SURVEYS AMENDMENT ACT, 1988

MR. HERON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 13
Mr. Heron

BILL 13

1988

SURVEYS AMENDMENT ACT, 1988

(Assented to _____, 1988)

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

1 *The Surveys Act, chapter S-29.1 of the Statutes of Alberta, 1987, is amended by this Act.*

2 *Section 5 is amended*

(a) *by renumbering it as section 5(1);*

(b) *in subsection (1) by striking out "The" and substituting "Subject to subsection (2), the";*

(c) *by adding the following after subsection (1):*

(2) The Minister may, in writing, assign

(a) any duty under subsection (1)(b) or (e) to an employee of the Government who is a surveyor and whose position is under the administration of the Minister, and

(b) any duty under subsection (1)(c), (d) or (f) to an employee of the Government whose position is under the administration of the Minister.

3 *Section 10 is amended by adding the following after subsection (2):*

(3) Monuments that are intended to be used by surveyors in making surveys shall be obtained from

(a) the Minister at a price fixed by the Minister, or

(b) a person designated by the Minister at a price fixed by and on such other terms and conditions as may be prescribed by the Minister.

Explanatory Notes

1 This Bill will amend chapter S-29.1 of the Statutes of Alberta, 1987.

2 Section 5 presently reads:

5 The Director shall

(a) co-ordinate the establishment, maintenance and preservation of the land survey system for the purpose of determining the positions of boundaries that govern the extent of interests in land,

(b) co-ordinate the establishment and maintenance of a geographical positioning system for Alberta,

(c) co-ordinate the establishment and maintenance of a mapping system for Alberta,

(d) co-ordinate the development and maintenance of a land-related information systems network for Alberta,

(e) maintain the network of survey control markers and controlled photographic diapositives that are the physical elements of the geographical positioning system,

(f) provide a cartographic service, and

(g) perform any other duties prescribed by this Act.

3 Section 10 presently reads:

10(1) All surveys made under this Act shall be made

(a) under the personal supervision of a surveyor,

(b) in accordance with good surveying practices, and

(c) in accordance with this Act and the regulations,

and the plan of a survey shall be certified under oath by a surveyor in the prescribed form.

(2) All monuments shall meet the requirements of this Act and the regulations.

4 Section 20 is amended

- (a) by renumbering it as section 20(1);
- (b) in subsection (1) by striking out “100 feet” and substituting “99 feet”;
- (c) by adding the following after subsection (1):

(2) When surveying a road allowance that is 99 feet wide

- (a) the centre of sections, quarter sections and legal subdivisions shall be located in the same relative positions as if a road allowance that is 66 feet wide existed, and
- (b) in the case of a correction line, the road allowance shall be given its prescribed width midway between the south-east corner of section 4 of the township north of the correction line, and the north-east corner of section 33 of the township south of the correction line.

5 Section 47(a) is amended by striking out “modes of surveys” and substituting “survey methods”.

6 Section 49 is renumbered as section 49(1) and the following is added after subsection (1):

- (2) Section 188(1)(b) and (c) of the Land Titles Act are amended by striking out “referred to in section 32 of the Surveys Act” and substituting “, as defined in the Surveys Act,”.

7 The following is added after section 49:

49.1 The Planning Act is amended

- (a) in section 1(i.1)(ii) and (iii) by striking out “referred to in section 32 of the Surveys Act” and substituting “, as defined in the Surveys Act,”;
- (b) in section 86(2)(b) and (c) by striking out “referred to in section 32 of the Surveys Act” and substituting “, as defined in the Surveys Act,”.

4 Section 20 presently reads:

20 Road allowances 100 feet wide shall be allowed

*(a) in a north-south direction, 1 mile between each column of sections,
and*

*(b) in an east-west direction, 2 miles between each 2nd row of sections
commencing on the township outline.*

5 Section 47 presently reads in part:

47 The Lieutenant Governor in Council may make regulations

(a) respecting modes of surveys;

6 Consequential amendment.

7 Consequential amendment.