

1993 BILL 345

Fourth Session, 22nd Legislature, 42 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 345

COUNTY AMENDMENT ACT, 1993

MR. GESELL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 345
Mr. Gesell

BILL 345

1993

COUNTY AMENDMENT ACT, 1993

(Assented to _____, 1993)

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

1 This Act amends the County Act.

2 The following is added after section 41:

Modified System
of Representation

41.1(1) The council of a county may by by-law propose a system of representation that is a modification of the county system previously provided for in this Act.

(2) The request for a modified system of representation may originate by:

- (a) a petition of at least 5% of the electors of the county;
- (b) a resolution of the Board of Education;
- (c) a resolution(s) by 2/3 majority of the elected municipal councils located within the county;
- (d) the initiative of the county council;

(3) Within 30 days of receiving a request under subsection (2) the county council shall give first reading to the by-law and the request/resolution(s) shall be attached to and form part of the by-law.

Explanatory Notes

- 1 This Bill will amend chapter C-27 of the Revised Statutes of Alberta.*
- 2 This Bill will provide counties with a means of implementing a modified system of representation.*

(4) Following first reading of a by-law under this section the by-law shall be submitted to the Board of Education and the elected councils of the municipalities located within the county for consideration.

(5) Following first reading of a by-law under this section the council shall submit the proposed by-law for approval by the Minister.

(6) Following receipt of the Minister's approval the council shall publish a notice of the proposed by-law in a form approved by the Minister and the time and place for a public hearing on the proposed by-law, once a week for two consecutive weeks in one newspaper circulating throughout the county.

(7) If a petition, requesting a general vote, signed by at least 5% of the electors of the county and the municipalities located within the county, is received by the county within 15 days of the last publication of the notice the county shall submit the proposed by-law to a vote by those electors.

(8) If the proposed by-law

(a) is approved by the Minister,

(b) is advertised as required,

(c) has been the subject of a public hearing,

(d) either

(i) is not required to be submitted to a vote of the electors referred to in subsection (7), or

(ii) is approved by a majority vote of the electors referred to in subsection (7),

the council may proceed and pass the by-law.

(9) A by-law under this section may only be amended or repealed by the county council pursuant to the provisions of this section except that a by-law may be amended without giving notice if the amendment does not materially affect the by-law in principle or in substance.

41.2(1) The council of a county may by by-law request the modification of the county.

(2) A by-law passed under section 41.1 shall be forwarded to the Minister who, in consultation with the Minister of Education, may recommend the modification of the county to the Lieutenant Governor in Council.

(3) Upon receipt of the recommendation of the minister, the Lieutenant Governor in Council may by order modify the county to provide for

(a) the establishment of electoral divisions within the county for the election of members of the council,

(b) the election of the Reeve by all of the electors of the county,

(c) the establishment of electoral divisions within the county and the municipalities to be served by the educational system, for the election of the chair and members of the Board of Education,

(d) the delegation to the council, or the Board of Education any powers, duties and responsibilities which by this Act are assigned to any one of them, and

(e) any other matter which may be required to give effect to the intent of this section.

(4) In a modified county the council and the Board of Education shall consider, in the execution of their duties, powers and responsibilities, combining appropriate administrative functions and holding combined meetings at regular intervals.

(5) Sections 16, 30 and 31 of this Act shall apply to counties which have been modified pursuant to this section.

(6) An order under this section may provide that one or more sections of this Act do not apply to a modified county.