

**The Municipalities Act**  
**LEGISLATIVE UPDATES**

Urban Municipal Administrator's Association  
Annual Convention  
June 2017

Ministry of Government Relations

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**The Saskatchewan Public Service Vision**  
The Best Public Service in Canada

**Our Commitment to Excellence**  
Dedicated to service excellence, we demonstrate innovation, collaboration and transparency, practice effective and accountable use of resources, and promote engagement and leadership at all levels.

**Our Core Values**  
Respect and Integrity  
Serving Citizens  
Excellence & Innovation  
One Team

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**LEGISLATIVE AMENDMENTS**

- *The Municipalities Amendment Act, 2013 (No.2)* – Bill 116
  - Received Royal Assent – May 1, 2014
  - Sections 7, 8 and 10 come into force on proclamation
  - Proclamation fixed at April 1, 2017

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### ORGANIZED HAMLET (OH)

LEGISLATION - Section 7 *The Municipalities Amendment Act 2013 (No. 2)*

[S.50(1.1)MA]

- An organized hamlet (OH) can only be established when it meets minimum criteria
  - Population
  - Number of separate dwellings or business premises
  - Taxable assessment
- Meets any other prescribed criteria

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### ORGANIZED HAMLET (OH)

REGULATIONS - Minimum Criteria:

- Population of 80 or more as shown:
  - In most recent census as per *Statistics Act (Canada)*
  - A municipal census conducted by RM council of area to become an OH
  - Information from an enumerated voters list prepared in accordance with LEGA (2015) for last general election
  - Any other source the minister may direct or approve

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### ORGANIZED HAMLET (OH)

REGULATIONS - Minimum criteria – continued:

- 40 separate dwelling units or business premises
- Taxable assessment of \$4 million
- Meets all other criteria and requirements set out in act

The Minister may request addition information or verification as considered appropriate

[S.60.01(1)MRegs]

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### VILLAGE OR RESORT VILLAGE (RV)

LEGISLATION - Section 8 *The Municipalities Amendment Act 2013 (No. 2)*

An OH may be incorporated as a village or resort village only if it:

- has been an OH for at least three years
- Meets certain prescribed minimums:
  - Population
  - Number of separate dwellings or business premises
  - Taxable assessment

An RV may have minimum required criteria that differs from village incorporation requirements

[S.51(2), (2.1) MA]

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### VILLAGE OR RESORT VILLAGE (RV)

REGULATIONS – minimum criteria:

- Population of 300 or more as per the *Statistics Act (Canada)*
- 150 or more separate dwellings or business premises
- Taxable assessment of \$30 million

[S.6(1)MRegs]

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### RESORT VILLAGE (RV)

REGULATIONS – Alternative criteria:

- Combined total permanent and seasonal population of 300 or more
  - If the most recent census shows a permanent population of 100
- 150 separate dwellings or business premises
- Taxable assessment of \$35 million
- Community predominantly resort in nature
- Meets all other criteria and application requirements

[S.6(2)MRegs]

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### RESORT VILLAGE (RV)

REGULATIONS - Alternative criteria continued:

- Total population may be determined by:
  - Municipal census of OH conducted by
    - ✓ Council of the RM
    - ✓ Board of the OH
  - Information from an enumerated voters list prepared in accordance with LEGA (2015) for last general election
  - Any other means the minister may direct or approve

[S.6(3)MRRegs]

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### INCORPORATE VILLAGE OR RESORT VILLAGE



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### RESTRUCTURING - CHANGE IN STATUS

LEGISLATION - Section 10 *The Municipalities Amendment Act 2013 (No. 2)*

Council of a municipality **SHALL** request an order to restructure or change status if it:

- Has not complied with legislative or regulatory requirements for two or more consecutive years;
- Has been notified of its non-compliance and is unable to demonstrate compliance within a given period of time; and
- No longer meets the minimum population requirements for two consecutive censuses of 100, except RMs.

[S.52.1MA] [S.6.02(2)MRRegs]

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**RESTRUCTURING - CHANGE IN STATUS**

LEGISLATION

If municipality does not make request or demonstrate compliance, the minister **SHALL**:

- Undertake consultations he considers appropriate with affected municipalities
- Make an order to:
  - Restructure
  - Change status, including reversion of a village or RV to an OH

[S.52.1(2)MA]

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**RESTRUCTURING - CHANGE IN STATUS**

LEGISLATION - Regulatory changes may be made to:

- Areas of non-compliance to be used to define non-compliance
- Minimum population and census periods to be used
- Process municipalities must follow to make request to restructure
- Notices given and processes followed by minister for request and order
- Any other matter to carry out Intent of section

[S.52.1(3)MA]

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**RESTRUCTURING - CHANGE IN STATUS**

REGULATIONS – Municipality is non-compliant if it does not comply with one or more of:

- Submission of annual financial statements [S.186MA]
- Reporting education property tax to ministry and school division [S.311MA]
- Collection and remittance of education property tax [S.291EA]
- Submission of annual return to SAMA [S.258MA]
- Conducting a general election [LGEA 2015]

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### RECENT AMENDMENTS

- Employee Code of Conduct
- Council Procedures Bylaw
- Public Disclosure Statements
- Council Code of Ethics
- Expanded Conflict of Interest Rules

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### CONFLICT OF INTEREST

NEW PROVISIONS – A Council member shall:

- Declare a conflict of interest and the general nature of the conflict [S.144(1)(b)MA]
- Disclose a conflict of interest at the next meeting even if absent from meeting where conflict arose [S.144.1(a)MA]
- Not use the office to influence a decision to further his/her or a closed connected person's interests [S.144.2MA]

Would a reasonable person, knowing all the details, consider there is a conflict of interests?

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### NEW RESOURCES/TRAINING

- Administrator's Corner in Municipalities Today
- Webinars
- Coming Soon!!
  - New Administrator's Orientation Package
  - Ten minute trainers
- Exploring other new training methods
  - Self-training modules with quizzes

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Government

- Municipal Administration
  - Community Planning, Land Use and Development
  - ✓ Municipal Status and Boundary Changes

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On-line resources

- Establishing an organized hamlet  
<http://www.saskatchewan.ca/government/municipal-administration/community-planning-land-use-and-development/municipal-status-and-boundary-changes/establishing-an-organized-hamlet>
- Establishing a village or resort village  
<http://www.saskatchewan.ca/government/municipal-administration/community-planning-land-use-and-development/municipal-status-and-boundary-changes/establishing-a-village>
- Restructuring an urban into a rural municipality  
<https://www.saskatchewan.ca/government/municipal-administration/community-planning-land-use-and-development/municipal-status-and-boundary-changes/transferring-administration-from-urban-council-to-rural-municipality>
- Legislation and Regulations  
<http://www.publications.gov.sk.ca/deplist.cfm?d=1&c=42>
- Publications Centre  
<http://www.publications.gov.sk.ca/>

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