

COUNTY ACT AND MUNICIPAL GOVERNMENT ACT

(O.C. 119/91)

Approved and Ordered,
W. HELEN HUNLEY,
Lieutenant Governor.

Edmonton, February 14, 1991

Upon the recommendation of the Honourable the Minister of Municipal Affairs, the Lieutenant Governor in Council, pursuant to section 21 of the Municipal Government Act and section 6 of the County Act, varies in accordance with the Appendix, and approves as varied, the Local Authorities Board Order No. 19606 annexing to the City of Fort Saskatchewan certain territory pursuant to the petition by the Council of the City of Fort Saskatchewan.

James Horsman (Acting Chairman)

APPENDIX

The Local Authorities Board Order No. 19606 is varied as follows:

- (a) in clause II by striking out "December 31, 1990" and substituting "December 31, 1991";
- (b) in clause III by striking out "1991" and substituting "1992";
- (c) in clause IV(A) by adding "in every year" after "assess";
- (d) in clause IV(B) by striking out "1991 to 1995" and substituting "1992 to 1996";

(e) by striking out clause IV(B)(ii);

(f) by striking out clause IV(C);

(g) by striking out clause VI and substituting the following:

VI. (A) In this clause "municipal taxation" means the municipal taxes levied against the annexed lands and assessable improvements thereon pursuant to the provisions of the Municipal Taxation Act or similar legislation and actually collected, but does not include the following:

(i) any taxes or rates levied on the property to meet the requisition of a school district or division, hospital districts or boards, the Province of Alberta pursuant to the School Act, senior citizens foundations or any other requisition similar in nature in respect of which the rates and taxes must be transferred to another party or corporation;

(ii) local improvement charges, maintenance taxes or special taxes or other rates or levies of a similar nature.

(B) That, prior to June 30, 1991 the City of Fort Saskatchewan and the County of Strathcona shall negotiate and reach agreement on:

(i) the apportionment of municipal taxation, and

(ii) the compensation required to be paid to the County of Strathcona for infrastructure paid for by the County of Strathcona and in place to serve the annexed lands at the effective date of the Order.

(C) That, if the two municipalities are unable to come to an agreement on the apportionment of municipal taxation and compensation for infrastructure by June 30, 1991 or, in the alternative, that the two municipalities are unable to agree on submitting the question of apportionment of municipal taxation or compensation for infrastructure to arbitration to determine the terms of an agreement by June 30, 1991, the Lieutenant Governor in Council may amend this Order to prescribe the terms and conditions of the apportionment of municipal taxation and compensation for infrastructure, and those terms and conditions will be binding on the City of Fort Saskatchewan and the County of Strathcona with respect to any apportionment of municipal taxation issues or compensation for infrastructure issues outstanding as of June 30, 1991, or in the alternative, the Lieutenant Governor in Council may amend this Order to establish the basis upon which an agreement on the apportionment of municipal taxation and the compensation for infrastructure is to be reached by the parties.

VII. (A) The effective date of clause VI is March 1, 1991.

(B) Except as provided in clause VII(A), the effective date of this Order is December 31, 1991.