



Province of Alberta
Order in Council

O.C. 016 /2020

JAN 28 2020

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Order Dissolving the Village of Gadsby set out in the attached Appendix.

CHAIR

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act (sections 133, 134, 135 and 137)
Foreign Ownership of Land Regulations (section 14)

APPENDIX

Municipal Government Act

ORDER DISSOLVING THE VILLAGE OF GADSBY

1 In this Order,

- (a) “Act” means the *Municipal Government Act*;
- (b) “designated industrial property” has the meaning given to it in section 284(1)(f.01) of the Act;
- (c) “dissolution date” means February 1, 2020;
- (d) “former area of the village” means the land in the village of Gadsby before the dissolution date, as described in the Schedule;
- (e) “receiving municipality” means The County of Stettler No. 6;
- (f) “village” means the village of Gadsby.

2 Effective February 1, 2020,

- (a) the village of Gadsby is dissolved,
- (b) the former area of the village becomes part of The County of Stettler No. 6,
- (c) the former area of the village is part of Ward 3 (Botha-Gadsby) of the receiving municipality until the receiving municipality passes a bylaw pursuant to section 148 of the Act that provides otherwise,
- (d) the former area of the village is designated as a hamlet to be known as the Hamlet of Gadsby until the council of the receiving municipality changes the designation in accordance with section 59 of the Act,
- (e) all liabilities of the village, whether arising under debenture or otherwise, including liabilities referred to in clause (l), and all assets, rights, duties, functions and obligations of the village are vested in the receiving

municipality and may be dealt with in the name of the receiving municipality,

- (f) bylaws and resolutions of the village continue to apply in the former area of the village until the bylaws or resolutions are repealed, amended or replaced by the council of the receiving municipality,
- (g) the receiving municipality may, by bylaw, impose an additional tax under Part 10 of the Act on property located in the former area of the village, including designated industrial property,
 - (i) to pay for any liabilities referred to in this section that exceed the assets referred to in this section, or
 - (ii) to meet obligations under a borrowing that was made by the village, prior to its dissolution, in respect of the former area of the village,
- (h) a bylaw referred to in clause (g) may be passed each year until the liability or borrowing is fully paid,
- (i) a reference to the village in any order, regulation, bylaw, certificate of title, agreement or any other instrument is deemed to be a reference to the receiving municipality,
- (j) the employees of the village at its dissolution are deemed to be employees of the receiving municipality,
- (k) all employment records related to past and current employees of the village are transferred to the receiving municipality, and
- (l) all liabilities related to past and current employees of the village are transferred to the receiving municipality.

3(1) The receiving municipality shall use

- (a) money received from the village on its dissolution, and
- (b) money received from the sale of any assets of the village vested in the receiving municipality under section 2(e) and sold by the receiving municipality before January 1, 2025

only for the purposes of paying or reducing a liability vested in the receiving municipality under section 2 or for purposes for which the village could have used it.

(2) All money referred to in subsection (1) must be accounted for separately by the receiving municipality.

4 The receiving municipality is responsible for

- (a) preparing or ensuring completion of the village's 2019 annual financial statements for the purposes of section 276 of the Act and the village's 2019 financial information return for the purposes of section 277 of the Act,
- (b) having an auditor report to the council of the receiving municipality on the village's 2019 annual financial statements and the village's 2019 financial information return in the same manner as is required under section 281 of the Act for the receiving municipality, and
- (c) submitting
 - (i) the village's 2019 financial information return,
 - (ii) the auditor's report on the village's 2019 financial information return,
 - (iii) the village's 2019 annual financial statements, and
 - (iv) the auditor's report on the village's 2019 annual financial statements

to the Minister in the same manner as is required under section 278 of the Act for the receiving municipality.

5(1) In this section, "professional accounting firm" and "review engagement" have the meanings given to them in the *Chartered Professional Accountants Act*.

(2) The receiving municipality is responsible for

- (a) preparing or ensuring completion of financial statements for the village in respect of the period from January 1, 2020 to January 31, 2020, and

- (b) having a professional accounting firm complete a review engagement in respect of the financial statements referred to in clause (a) within 6 months after the dissolution date.

(3) Despite subsection (2)(b), the receiving municipality may elect to have a professional accounting firm complete an audit, rather than a review engagement, in respect of the financial statements referred to in subsection (2)(a).

(4) The receiving municipality shall, as soon as practicable after receiving the review engagement or auditor's report,

- (a) make the financial statements, or a summary of them, and the review engagement or auditor's report available to the public in the manner the council considers appropriate, and
- (b) submit copies of the financial statements or auditor's report and the review engagement to the Minister.

6 If a complaint is made under section 460 of the Act in respect of property located in the former area of the village and is properly filed in accordance with the Act and regulations before the dissolution date, the complaint

- (a) must be heard and decided by the assessment review board established by the village, if that board began hearing the matter before the dissolution date, or
- (b) must be heard and decided by the assessment review board established by the receiving municipality, in any other case.

7 The Minister may decide any other matter relating to the rights, obligations, liabilities, assets or any other thing in respect of the village resulting from the dissolution of the village.

8 Pursuant to section 14(1)(e) of the *Foreign Ownership of Land Regulations* (AR 160/79), the land within the boundaries of the Hamlet of Gadsby is excluded from the operation of those regulations.

**Schedule
Land Description**

ALL THAT PORTION OF SECTION TWENTY-SEVEN (27),
TOWNSHIP THIRTY-EIGHT (38), RANGE SEVENTEEN (17)
WEST OF THE FOURTH MERIDIAN LYING WITHIN PLAN
153Z.