



Province of Alberta
Order in Council

O.C. 361/2018
NOV 27 2018

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Order Dissolving the Town of Grande Cache 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 TOWN OF GRANDE CACHE

1 In this Order,

- (a) “Act” means the *Municipal Government Act*;
- (b) “dissolution date” means January 1, 2019;
- (c) “former area of the town” means the land in the Town of Grande Cache before the dissolution date as described in the Schedule;
- (d) “receiving municipality” means The Municipal District of Greenview No. 16;
- (e) “town” means the Town of Grande Cache.

2 Effective January 1, 2019,

- (a) the Town of Grande Cache is dissolved,
- (b) the former area of the town becomes part of The Municipal District of Greenview No. 16,
- (c) the former area of the town is designated as a hamlet to be known as the Hamlet of Grande Cache until the council of the receiving municipality changes the designation in accordance with section 59 of the Act,
- (d) until the receiving municipality passes a bylaw pursuant to section 148 of the Act that provides otherwise, the former area of the town is established as an electoral ward of the receiving municipality known as Division 9 and having the boundaries described in the Schedule,
- (e) all liabilities of the town, whether arising under debenture or otherwise, and all assets, rights, duties, functions and obligations of the town are vested in the receiving municipality and may be dealt with in the name of the receiving municipality,

- (f) bylaws and resolutions of the town continue to apply in the former area of the town until the bylaws or resolutions are repealed, amended or replaced by the council of the receiving municipality,
- (g) the receiving municipality may impose an additional tax under Part 10 of the Act on property located in the former area of the town, including designated industrial property as defined in section 284(1)(f.01) of the Act, to pay for any liabilities referred to in clause (e) that exceed the assets referred to in clause (e),
- (h) 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 town to meet obligations under a borrowing that was made
 - (i) by the town prior to its dissolution, and
 - (ii) in respect of the former area of the town,
- (i) a bylaw referred to in clause (h) may be passed each year until the borrowing is fully repaid,
- (j) a reference to the town in any order, regulation, bylaw, certificate of title, agreement or any other instrument is deemed to be a reference to the receiving municipality,
- (k) the employees of the town at its dissolution are deemed to be employees of the receiving municipality,
- (l) all employment records related to past and current employees of the town are transferred to the receiving municipality, and
- (m) all liabilities related to past and current employees of the town are transferred to the receiving municipality.

3(1) On the dissolution of the town,

- (a) until the receiving municipality passes a bylaw in accordance with section 148 of the Act, the council of the receiving municipality consists of, unless provided otherwise under subsection (3),

- (i) the 8 councillors for the receiving municipality as it stood immediately before the dissolution date, and
- (ii) 2 councillors for Division 9,

and

- (b) as a transitional measure, the following individuals are appointed as the councillors for Division 9:

- (i) Duane Didow;
- (ii) Tyler Olsen.

(2) If, on or after the dissolution of the town, a vacancy on council occurs for Division 9 on or before April 17, 2021, the receiving municipality must hold a by-election to fill the vacancy within 90 days of the vacancy occurring.

(3) The receiving municipality must,

- (a) before the 2021 general election, review the number of councillors that the council consists of, and
- (b) pass a bylaw in accordance with sections 143 and 144 of the Act that is to take effect at the 2021 general election to specify a higher or lower odd number of councillors.

(4) The receiving municipality must,

- (a) before the 2021 general election, review the number of wards and the boundaries of the wards within the receiving municipality, and
- (b) pass a bylaw in accordance with sections 148 and 149 of the Act that is to take effect at the 2021 general election to establish the number of wards and the boundaries of those wards.

4(1) The receiving municipality shall use

- (a) money received from the town on its dissolution, and
- (b) money received from the sale of any assets of the town vested in the receiving municipality under section 2(e)

and sold by the receiving municipality before December 31, 2023,

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

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

(3) The receiving municipality shall prepare the town's 2018 annual financial statements under section 276 of the Act and the town's 2018 financial information return under section 277 of the Act.

(4) The auditor for the receiving municipality shall report to the council on the town's 2018 annual financial statements and the town's 2018 financial information return in the same manner as is required under section 281 of the Act for the receiving municipality.

(5) The receiving municipality is responsible for submitting the town's 2018 financial information return, the auditor's report on the financial information return, the town's 2018 annual financial statements and the auditor's report on the annual financial statements to the Minister in the same manner as is required under section 278 of the Act for the receiving municipality.

(6) The receiving municipality may appoint an auditor for the purpose of subsection (4).

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

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

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

7 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 Grande Cache is excluded from the operation of those regulations.

Schedule

Land Description

In unsurveyed township 56, range 8, west of the sixth meridian:

All of sections 20, 29, 33, 34, 35 and those portions of sections 21, 23, 26, 27 and 28 lying northerly of the centre line of the Sulphur River, and that portion of section 19 lying north of the center line of the Sulphur River east of the centre line of the Smoky River and those portions of sections 30, 31, 32 lying east of the centre line of the Smoky River; and all south and west road allowances adjoining the above mentioned sections and portions of sections, and all road allowance intersections;

In unsurveyed township 57, range 8, west of the sixth meridian:

All of sections 2, 3, 4 and those portions of sections 5 and 6 lying east of the centre line of the Smoky River, and all south and west road allowances adjoining the above mentioned sections and portions of sections, and all road allowance intersections.