

MUNICIPAL GOVERNMENT ACT

O.C. 817/94

Approved and Ordered,
GORDON TOWERS,
Lieutenant Governor.

Edmonton, December 21, 1994

The Lieutenant Governor in Council

- (a) amalgamates, effective April 1, 1995, Improvement District No. 143 and the City of Fort McMurray to form a specialized municipality having the name "Municipality of Wood Buffalo",
- (b) orders that the specialized municipality is composed of the lands described in Schedule 2,
- (c) establishes the wards for the specialized municipality as described in Schedule 3, and
- (d) makes the order in Schedule 1.

Jim Dinning, *Acting Chair.*

Schedule 1
Special Provisions for the Organization and Operation
of the Municipality of Wood Buffalo

Definitions:

- 1 In this order,
 - (a) Advisory Council means the advisory councillors appointed for Improvement District No. 143;
 - (b) Council means the council of the Municipality of Wood Buffalo;
 - (c) Fort McMurray Urban Service Area means the territory described as ward 1 in Schedule 3;
 - (d) Improvement District Orders means orders passed by the Improvement District No. 143 advisory council or its predecessors;
 - (e) Minister means the Minister of Municipal Affairs;
 - (f) Municipal Government Act means the Municipal Government Act, SA 1994, c. M-26.1;
 - (g) Municipality means the Municipality of Wood Buffalo;
 - (h) Rural Service Area means the territory composed of wards 2, 3 and 4 in Schedule 3.

Specialized Municipality

- 2(1) The Municipality is formed to provide for the unique needs of a municipality including a large urban centre and a large rural territory with a small population,

- (2) The provisions of the Municipal Government Act and other enactments are modified to the extent necessary to accomplish the intent of this order.
- (3) The definition of municipality in section 25(1)(n) of the Interpretation Act is deemed to include the Municipality of Wood Buffalo.
- (4) For the purposes of the Municipal Government Act and all other enactments and not for any other purpose, the enactments applicable to a city apply in the Fort McMurray Urban Service Area and the enactments applicable to a municipal district apply in the Rural Service Area except as otherwise provided in this order.

Transitional Authority

- 3(1) All the bylaws and resolutions of the City of Fort McMurray in effect on March 31, 1995 continue to operate as bylaws and resolutions of the council insofar as they are not inconsistent with this order, but they apply only to the Fort McMurray Urban Service Area, and only until they are repealed or replaced by the Council of the Municipality.
- (2) All the Ministerial Orders or Improvement District Orders in effect in Improvement District No. 143 on March 31, 1995 continue to operate as bylaws and resolutions of the council insofar as they are not inconsistent with this order, but they apply only to the Rural Service Area, and only until they are repealed or replaced by the Council of the Municipality.
- (3) Any taxes owing to the City of Fort McMurray or the Minister of Municipal Affairs in respect to Improvement District No. 143, including any lawful penalties and costs levied in respect of any such taxes, are transferred to and become payable to the Municipality of Wood Buffalo and may be collected and dealt with by the Municipality of Wood Buffalo as if it had imposed the taxes.
- (4) Subject to the *Limitation of Actions Act*, all rights of action and actions by or against the Crown in right of Alberta for Improvement District No. 143 may be continued or maintained by or against the Municipality of Wood Buffalo if the cause of the action arose in the Improvement District and relates to the administration by the Minister of any municipal matter relating solely to the Improvement District.
- (5) Subject to the *Limitation of Actions Act*, all rights of action and actions by or against the City of Fort McMurray may be continued or maintained by or against the Municipality of Wood Buffalo if the cause of the action arose in the City of Fort McMurray and relates to the administration by the City of Fort McMurray council of any municipal matter.
- (6) Any agreement between the Minister and a person, corporation or municipality that relates to Improvement District No. 143, or any agreement between the City of Fort McMurray and a person, corporation or municipality, is binding on the Municipality, as far as is practicable, as though the Municipality had replaced the Minister or the City of Fort McMurray as a party to the agreement.
- (7) The council of the City of Fort McMurray and the Advisory Council of Improvement District No. 143 are dissolved effective April 1, 1995.

First Municipal Election

- 4(1) The first election for the Municipality is April 3, 1995.
- (2) In consultation with the advisory council of the Improvement District No. 143, the City of Fort McMurray must appoint the returning officer for the first election for the Municipality and the returning officer may do everything necessary so that the first election is conducted on April 3, 1995.
- (3) The municipal costs of the election process are a charge on the Municipality of Wood Buffalo as a whole.
- (4) The municipal general election after the April 3, 1995 election is to be conducted on the legislated date in 1998.
- (5) This section modifies section 7 of the Local Authorities Election Act.

Interim Municipal Council

- 5 Upon formation of the Municipality, and until the first elected council assumes office, the Minister of Municipal Affairs may appoint an official administrator who has all the powers and duties of the Council.

Municipal Council Structure

- 6(1) The principle underlying the structure of Council is to ensure that urban and rural residents will be ensured an ongoing voice in the governance of the Municipality through a Council comprised in a ratio of 6 urban representatives to 4 rural representatives.
- (2) The Chief Elected Official (CEO) shall be elected at large.
- (3) The Municipality is divided into the wards described in Schedule 3 with the following number of councillors to be elected from each ward:
 - (a) Ward 1: Fort McMurray Urban Service Area: Six councillors
 - (b) Ward 2: North Rural Service Area: Two councillors
 - (c) Ward 3: Central Rural Service Area: One councillor
 - (d) Ward 4: South Rural Service Area: One councillor
- (4) All councillors shall be nominated from and be resident in the ward represented.
- (5) Only an elector who is resident in the ward may vote for a councillor in that ward.
- (6) Sections 143(4), 144 and 148 of the Municipal Government Act do not apply to the Municipality.

Urban Service Area

- 7(1) The Fort McMurray Urban Service Area shall be recognized as equivalent to a city by the Government of Alberta for the purposes of program delivery and grant eligibility.
- (2) The Municipality shall provide to the Government of Alberta any information required to administer programs or to determine the amount of grants which

would have been paid if the Fort McMurray Urban Service Area was an incorporated city.

- (3) For the purposes of enactments affecting roads, culverts, ditches, drains, and highways, the Fort McMurray Urban Service Area is deemed to be a city.

Rural Service Area

- 9(1) The Rural Service Area shall be recognized as equivalent to a municipal district by the Government of Alberta for the purposes of program delivery and grant eligibility.
- (2) The Municipality shall provide to the Government of Alberta any information required to administer programs or to determine the amount of grants which would have been paid if the Rural Service Area were an incorporated municipal district.
- (3) For the purposes of an enactment affecting roads, culverts, ditches, drains, and highways, the Rural Service Area is deemed to be a municipal district.

Personnel

- 8(1) The employees of Improvement District No. 143 and the City of Fort McMurray of record and available for work as of March 31, 1995 become employees of the Municipality of Wood Buffalo without additional notice of termination or offer of employment.
- (2) Employees of Improvement District No. 143 and the City of Fort McMurray who are recorded as absent from work on long term medical leave on March 31, 1995 shall be offered employment by the Municipality if they are able to return to work in a position equivalent to their former position before December 31, 1995.
- (3) The Municipality will recognize service with Improvement District No. 143 and the City of Fort McMurray as equivalent in the determination of seniority.

Municipal Finance

- 9(1) The retirement of the debenture debt existing as of March 31, 1995 is a charge upon those areas which incurred the indebtedness.
- (2) Capital reserves and designated unexpended capital budgets of the City of Fort McMurray and Improvement District No. 143 as of March 31, 1995 which were designated for specific applications must be applied by the Municipality to those previously specified applications.
- (3) Operating reserves of the City of Fort McMurray and Improvement District No. 143 as of March 31, 1995 are merged upon the formation of the Municipality.
- (4) The property assessments of Improvement District No. 143 and the City of Fort McMurray as of December 31, 1994 may be used by the Municipality for the 1995 and 1996 taxation years.
- (5) The Municipality shall conduct a general assessment during 1996 for use in the 1997 taxation year.

Differing Rates of Taxation

- 10 The Municipality may by bylaw establish different rates of taxation for the Fort McMurray Urban Service Area and the Rural Service Area for each assessment class or sub-class referred to in section 297 of the Municipal Government Act.

Tax Penalty Dates

- 11 The Municipality may by bylaw establish different tax penalty dates for the Fort McMurray Urban Service Area and the Rural Service Area for 1995 and subsequent taxation years.

Compensation Payable

- 12(1) The Municipality shall pay to the County of Smoky Lake No. 13, or its successors, on July 1, 1995 and on the same date each year up to and including 1999, the sum of \$100,000 .
- (2) The Municipality shall pay to the County of Athabasca No. 12, or its successors, on July 1, 1995 the sum of \$118,904, on July 1, 1996 and on the same date each year up to and including 1999, the sum of \$117,879.
- (3) The Municipality shall pay to the Municipal District of Bonnyville No. 87, or its successors, on July 1, 1995 the sum of \$2,201,096, and on July 1, 1996 and on the same date each year up to and including 1999, the sum of \$2,182,121.

Schedule 2

Boundaries for The Municipality of Wood Buffalo

The following described territory, excluding any Indian Reserves and Metis settlements situated therein:

Township 73 - In ranges 1 to 8 inclusive, all of sections 19 to 36 inclusive; in range 9, all of sections 22 to 27 inclusive, and 34 to 36 inclusive;

Township 74 - All of ranges 1 to 8 inclusive; in range 9, all of sections 1 to 3 inclusive, 10 to 15 inclusive, 22 to 27 inclusive, and 34 to 36 inclusive;

Townships 75 to 79 Inclusive - All of ranges 1 to 9 inclusive;

Township 80 - All of ranges 1 to 9 inclusive; and in range 13 all of sections 19 to 36 inclusive;

Townships 81 and 82 - All of ranges 1 to 16 inclusive; and in range 17, all those portions lying east of the right bank of the Athabasca River;

Township 83 - All of ranges 1 to 15 inclusive; and in ranges 16 and 17, all those portions lying east of the right bank of the Athabasca River;

Township 84 - All of ranges 1 to 16 inclusive; and in range 17, all those portions lying east of the right bank of the Athabasca River;

Township 85 - All of ranges 1 to 16 inclusive; and in ranges 17 and 18, all those portions lying east of the right bank of the Athabasca River;

Township 86 - All of ranges 1 to 17 inclusive; and in range 18, all those portions lying east of the right bank of the Athabasca River;

Townships 87 to 95 Inclusive - All of ranges 1 to 17 inclusive;

Township 96 - All of ranges 1 to 19 inclusive;

Townships 97 to 104 inclusive - All of ranges 1 to 25 inclusive;

Townships 105 and 106 - All of ranges 1 to 8 inclusive; and in range 9, all those portions lying east of the centre of the main channel of the Athabasca River;

Township 107 - All of ranges 1 to 8 inclusive; and in ranges 9 and 10, all those portions lying east of the centre of the main channel of the Athabasca River;

Township 108 - All of ranges 1 to 9 inclusive; in range 10, all those portions lying east of the centre of the main channel of the Athabasca River, and all those portions lying east of the centre of the main channel of the Embarras River;

Township 109 - All of ranges 1 to 7 inclusive; and in range 8, all those portions lying south of the centre of the main channel of the of the Embarras River; and in ranges 9 and 10, all those portions lying east and south of the centre of the main channel of the Embarras River;

Township 110 - All of ranges 1 to 6 inclusive; and in ranges 7 and 8, all those portions lying south and east of the centre of the main channel of the Embarras River;

Township 111 - All of ranges 1 to 6 inclusive; and in range 7, all those portions lying east of the centre of the main channel of the Embarras River, and all those portions lying north of the south shore of Lake Athabasca; and in range 8, all those portions lying north of the south shore of Lake Athabasca;

Township 112 - All of ranges 1 to 7 inclusive; in range 8, all those portions lying east of the west shore of Lake Athabasca as shown on Canada's Plan No. 40393;

Township 113 - All of ranges 1 to 7 inclusive; and in range 8, all those portions lying east of the west shore of Lake Athabasca as shown on Canada's Plan No. 40393, and all those portions lying east of the centre of the main channel of Riviere des Rochers;

Township 114 - All of ranges 1 to 6 inclusive; and in ranges 7 and 8, all those portions lying east of the centre of the main channel of Riviere des Rochers;

Township 115 - All of ranges 1 to 7 inclusive; in range 8, all those portions lying east and north of the centre of the main channel of Riviere des Rochers; and in range 9, all those portions lying north of the centre of the main channel of Riviere des Rochers and east of the centre of the main channel of the Slave River, and all portions of any islands within the Slave River;

Townships 116 to 123 inclusive - All of ranges 1 to 8 inclusive; and in range 9, all those portions lying east of the centre of the main channel of the Slave River, and all portions of any islands within the Slave River;

Township 124 - All of ranges 1 to 8 inclusive; in ranges 9 and 10, all those portions lying east of the centre of the main channel of the Slave River, and all portions of any islands within the Slave River; in range 11, all of those portions of sections 31 and 32

lying north of the centre of the main channel of the Salt River; and in range 12, all those portions lying north of the centre of the main channel of the Salt River;

Township 125 - All of ranges 1 to 10 inclusive; in range 11, all those portions lying north of the centre of the main channel of the Salt River; and in ranges 12 and 13 all those portions lying north and east of the centre of the main channel of the Salt River;

Township 126 - All of ranges 1 to 12 inclusive; and in range 13, all those portions lying north and east of the centre of the main channel of the Salt River; and in range 14, all those portions lying east of the centre of the main channel of the Salt River.

All the above lands being located west of the Fourth Meridian in the province of Alberta.

Schedule 3

Electoral Wards for The Municipality of Wood Buffalo

All the following lands excepting thereout the lands comprising any Indian Reserve, or Metis settlement situated therein:

WARD ONE

Ward One is made up of all lands contained within the limits of the following described boundary:

Commencing in section 26, township 88, range 9 at the point where the northern boundary of Road Plan 885 intersects with the eastern boundary of said section 26, and then proceeding westerly along the northern boundary of Road Plan 885 PX to its intersection with the eastern boundary of Road Plan 627 PX,

thence northerly along the east boundary of Road Plan 627 PX to its intersection with the north boundary of the south half of section 27, township 88, range 9,

thence westerly along the north boundary of the South half of said section 27 to the right bank of the Hangingstone River,

thence following the right bank of the Hangingstone River downstream to the point where it intersects with the northern boundary of section 4, township 89, range 9,

thence westerly along the northern boundary of said section 4 and its projection to the point of intersection with the right bank of the Horse River,

thence following the right bank of the Horse River downstream to its point of intersection with the eastern boundary of section 17, township 89, range 9,

thence northerly along the eastern boundary of said section 17 to its intersection with the right bank of the Horse River,

thence downstream along the right bank of the Horse River to the point of convergence of the right bank of the Horse River and the right bank of the Athabasca River,

thence following a projection of the right bank of the Horse River to a point on the left bank of the Athabasca River,

thence upstream along the left bank of the Athabasca River to its intersection with the southwest boundary of River Lot 28 in the Settlement of McMurray,

thence northwesterly along the southwest boundary of River Lot 28 to its point of intersection with the south boundary of section 13, township 89, range 10,

thence westerly along the south boundary of said section 13 and its projection westerly to the west boundary of the southeast quarter of section 14, township 89, range 10,

thence northerly along the west boundary of said southeast quarter of section 14 and its projection northerly to the southeast corner of the southwest quarter of section 26, township 89, range 10,

thence westerly along the south boundary of said southwest quarter to its southwest corner,

thence northerly along the west boundary of said section 26 and its projection northward to the north boundary of section 35, township 89, range 10,

thence easterly along the northern boundary of said section 35 to the northwest corner of the northeast quarter of said section 35,

thence northerly along the west boundary of the southeast quarter of section 2, township 90, range 10 to the northwest corner of said southeast quarter of section 2,

thence easterly along the north boundary of said southeast quarter of section 2 and its projection eastward to the point of its intersection with the right bank of the Athabasca River,

thence upstream along the right bank of the Athabasca River to the point of its convergence with the right bank of the Clearwater River,

thence upstream along the right bank of the Clearwater River to the point of its intersection with the south boundary of the northeast quarter of section 2, township 90, range 9,

thence westerly along the south boundary of said northeast quarter of section 2 and its projection westward to the west boundary of said section 2,

thence southerly along the west boundary of said section 2 to its point of intersection with the right bank of Saline Creek,

thence upstream along the right bank of Saline Creek to the point where it intersects with the east boundary of section 26, township 88, range 9,

thence southerly to the point of commencement.

All the above lands being located west of the Fourth Meridian in the province of Alberta.

WARD TWO

Townships 94 and 95 - All of ranges 1 to 17 inclusive;

Township 96 - All of ranges 1 to 19 inclusive;

Townships 97 to 104 inclusive - All of ranges 1 to 25 inclusive;

Townships 105 and 106 - All of ranges 1 to 8 inclusive; and in range 9, all those portions lying east of the centre of the main channel of the Athabasca River;

Township 107 - All of ranges 1 to 8 inclusive; and in ranges 9 and 10, all those portions lying east of the centre of the main channel of the Athabasca River;

Township 108 - All of ranges 1 to 9 inclusive; in range 10, all those portions lying east of the centre of the main channel of the Athabasca River, and all those portions lying both west of the centre of the main channel of the Athabasca River and east of the centre of the main channel of the Embarras River;

Township 109 - All of ranges 1 to 7 inclusive; in range 8, all those portions lying south of the centre of the main channel of the of the Embarras River; and in ranges 9 and 10, all those portions lying east of the centre of the main channel of the Embarras River;

Township 110 - All of ranges 1 to 6 inclusive; and in ranges 7 to 9 inclusive, all those portions lying south and east of the centre of the main channel of the Embarras River;

Township 111 - All of ranges 1 to 5 inclusive; and in ranges 6 and 7, all those portions lying east of the centre of the main channel of the Embarras River;

Township 112 - All of ranges 1 to 7 inclusive; and in range 8, all those portions lying north of the south shore of Lake Athabasca as shown on Canada's Plan No. 40393;

Township 113 - All of ranges 1 to 7 inclusive; and in range 8, all those portions lying east of the west shore of Lake Athabasca, and all those portions lying east of the centre of the main channel of Riviere des Rochers;

Township 114 - All of ranges 1 to 6 inclusive; and in ranges 7 and 8, all those portions lying east of the centre of the main channel of Riviere des Rochers;

Township 115 - All of ranges 1 to 7 inclusive; in range 8, all those portions lying east of the centre of the main channel of Riviere des Rochers; and in range 9, all those portions lying north of the centre of the main channel of Riviere des Rochers and east of the centre of the main channel of the Slave River, and all portions of any islands within the Slave River;

Townships 116 to 123 inclusive - All of ranges 1 to 8 inclusive; and in range 9, all those portions lying east of the centre of the main channel of the Slave River, and all portions of any islands within the Slave River;

Township 124 - All of ranges 1 to 8 inclusive; in range 9, all those portions lying east of the centre of the main channel of the Slave River, and all portions of any islands within the Slave River; and in ranges 11 and 12, all those portions lying north of the centre of the main channel of the Salt River;

Township 125 - All of ranges 1 to 11 inclusive; and all those portions of range 12 and 13 lying northeast of the centre of the main channel of the Salt River;

Township 126 - All of ranges 1 to 12 inclusive; and all those portions of range 13 and 14 lying east of the centre of the main channel of the Salt River.

All the above lands being located west of the Fourth Meridian in the province of Alberta,

WARD THREE

Township 87 - All of ranges 1 to 17 inclusive;

Townships 88 to 90 inclusive - All of ranges 1 to 17 inclusive, excluding thereout all lands included in Ward One;

Townships 91 to 93 inclusive - All of ranges 1 to 17 inclusive.

All the above lands being located west of the Fourth Meridian in the province of Alberta.

WARD FOUR

Township 73 - In ranges 1 to 8 inclusive, all of sections 19 to 36 inclusive; and in range 9, all of sections 22 to 27 inclusive, and 34 to 36 inclusive;

Township 74 - All of ranges 1 to 8 inclusive; and in range 9, all of sections 1 to 3 inclusive, 10 to 15 inclusive, 22 to 27 inclusive, and 34 to 36 inclusive;

Townships 75 to 79 Inclusive - All of ranges 1 to 9 inclusive;

Township 80 - All of ranges 1 to 9 inclusive; and in range 13, all of sections 19 to 36 inclusive;

Townships 81 and 82 - All of ranges 1 to 16 inclusive; and in range 17, all those portions lying east of the right bank of the Athabasca River;

Townships 83 and 84 - All of ranges 1 to 15 inclusive; and in ranges 16 and 17, all those portions lying east of the right bank of the Athabasca River;

Township 85 - All of ranges 1 to 16 inclusive; and in range 17, all those portions lying east of the right bank of the Athabasca River;

Township 86 - All of ranges 1 to 17 inclusive; and In range 18, all those portions lying east of the right bank of the Athabasca River.

All the above lands being located west of the Fourth Meridian in the province of Alberta.
