

# Municipal Government Act Review

## What We Heard: A Summary of Consultation Input

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Municipal Administrators Session  
Held in Edson on March 6, 2014

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Developed by KPMG for Alberta Municipal Affairs



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## Introduction

### Purpose

This document provides a summary of what was heard during a consultation session for the Municipal Government Act (MGA) review. The summary below includes the comments and opinions of the participants of the Municipal Administrators Session held in Edson. These contributions have not been reviewed or edited for accuracy. Comments recorded here reflect the opinions of individuals offered in person and recorded by session facilitators; they do not represent the opinion of the Government of Alberta.

The input summarized below will be considered by Alberta Municipal Affairs as part of the review of the legislation. Municipal Affairs would like to thank the participants of this session, as well as all Albertans participating in the review of the MGA. Any inquiries related to this summary or to the consultation process should be directed by email to the MGA Review Team at [mga.review@gov.ab.ca](mailto:mga.review@gov.ab.ca).

### The Municipal Government Act Review

The MGA is designed to help build strong, prosperous and sustainable communities throughout Alberta. Alberta Municipal Affairs is reviewing and refreshing the MGA to address societal changes and evolving needs, and to ensure the MGA continues to meet its objective. A successful MGA review process will continue to position Alberta as the leading Canadian jurisdiction in terms of municipal legislation, having incorporated sound thinking, input and research into a clear Act that meets the needs of the Province and municipalities. In order to achieve this vision, an inclusive and comprehensive engagement process was developed to ensure stakeholders across the province have opportunities to provide input to the review.

As part of the MGA review, regional consultations were held in eleven locations around the province to give Albertans an opportunity to provide input face-to-face. In each location, different types of sessions were held, including Technical Sessions, a Business and Industry Session, a Municipal Administrators Session, an Elected Officials Session, and a Public Open House.

These engagements were conducted over a three-day period in each of:

- Brooks
- Calgary
- Edmonton
- Edson
- Fort McMurray
- Grande Prairie
- Lethbridge
- Medicine Hat
- Peace River
- Red Deer
- Vermilion

Sessions were promoted via news releases, direct email invitations, social media, and by the Minister of Municipal Affairs at stakeholder conventions. Information on regional session locations, dates and registration were on the MGA Review website.

Input to the MGA Review has also been provided through other channels, including the MGA Review website ([mgareview.alberta.ca](http://mgareview.alberta.ca)), the MGA Review Consultation Workbook, and official submissions.

## Session Overview

<b>Session</b>	Municipal Administrators Session
<b>Location</b>	Lion's Club Hall, Edson
<b>Date</b>	March 6 <sup>th</sup> , 2014
<b>Number of Participants</b>	5

- This session was open to current municipal staff. Participants were asked to register in advance in order to receive background materials before the session.

## Regional Consultation Methodology

### ***How sessions were organized***

Regional consultations were structured around one or more of the three themes of the MGA Review:

- Governance and Administration
- Assessment and Taxation
- Planning and Development

Participants were provided with agendas in advance, which identified a list of potential topics for discussion. These topics were drawn from the MGA Review Consultation Workbook. Several of the topics for discussion appear under more than one of the three themes of the review because they are relevant to more than one theme (e.g. public participation). The agenda is attached as Appendix A.

At this session, participants provided input through facilitated table discussions. The goal of the facilitated conversations was to give the opportunity to all participants to discuss the issues that mattered most to them. Given the large size and scope of the MGA, participants at each table were asked to focus their discussion on those topics that they felt were most important to provide input on, using the list provided in advance. In addition, this session included time for “open discussion” during which participants could provide any additional input that they felt was important to the review. Table facilitators and note takers included staff from Municipal Affairs, KPMG and ADR Education.

### ***Capturing input and reporting***

Input from session participants was captured on flipcharts by facilitators during the discussion. It was explained to participants that:

- Comments were being recorded on flipcharts so that they could be captured and considered by Municipal Affairs as part of the review of the MGA.
- Comments would not be attributed to individuals or organizations.
- Other avenues were also available to provide written input to the review.

The summary below documents the input heard from participants and recorded on flipcharts. These comments have been transcribed and organized according to the list of topics for discussion; they have not been screened for accuracy and do not reflect consensus of participants. As a result, comments and opinions listed may be contradictory. Comments that apply to issues outside of the scope of the review (e.g., suggested changes to other legislation) have been removed.

It is important to emphasize that this summary reflects the input heard from participants, and does not necessarily reflect the position of the Government of Alberta.

**How the Summary of Responses is Organized**

*Input from session participants is organized according to the three themes for the review:*

- Governance and Administration
- Assessment and Taxation
- Planning and Development

*Within these themes, comments are organized according to the applicable topics for discussion, using the list provided to participants in advance. In some sessions, not all themes may have been discussed.*

# Summary of Input

## **General Comments about the MGA**

The following input was received and documented related to the MGA in general.

Comments from participants included that:

- The current MGA is working well.
- The MGA should override other provincial policies regarding railways.

## **Governance and Administration**

The following input was received and documented related to governance and administration.

## **Municipal Powers, Structures, Annexations and Other Changes**

### ***Municipal structures***

Comments from participants included that:

- Communities should not be built and divided based on where assessment rates are the lowest. Municipal structures should be built around a sense of community.

### ***Fundamental changes and municipal restructuring***

Comments from participants included that:

- Alberta currently has too many small municipalities. The MGA should require municipalities of a certain size to dissolve.
  - Small municipalities struggle to attract and fund local administration and governance structures.
- There is a fear among the general public that dissolution will result in local tax increases.

## **Municipal Governance and Administration**

### ***Municipal governance***

Comments from participants included that:

- Elected officials should be required to take training and orientation, and should be required to pass a test prior acting as a councillor.
- The MGA should require disqualified councillors to go to court to prove that they should not be disqualified.

- While disqualified, councillors should be required to step away from their role on council.
- The MGA should enable councillors to have strategic *in camera* meetings where no decisions are made.

## Municipal Finances

### ***Regional funding approaches***

Comments from participants included that:

- The Province should encourage regional collaboration by providing incentives and advertising best practices.

## Municipal Accountability, Liability, and Risk Management

### ***Liability and risk management***

Comments from participants included that:

- The risk of liability keeps municipalities from providing some services that citizens want, like skating rinks on ponds. This has an impact on the quality of life for citizens.

## Municipal Services and Delivery

### ***Service provisions***

Comments from participants included that:

- Urban and rural municipalities need separate legislation that outlines service provision.
- The public does not always understand which level of government is responsible for certain services.

## **Assessment and Taxation**

The following input was received and documented related to assessment and taxation.

### **Taxation and Municipal Finances**

#### ***Taxation***

Comments from participants included that:

- Municipalities should have the ability to split tax rates for non-residential and residential properties.

#### ***Municipal revenue sources***

Comments from participants included that:

- The MGA needs to provide more flexibility on how municipalities can collect revenue.
- Municipalities should receive eight cents per dollar of taxes collected by the Province to account for all of the services they download to municipalities.
- If Municipal Sustainability Initiative grant funding was consistent or guaranteed, it would help municipalities to better plan for their future needs.

### **Exemptions from Assessment and Taxation**

#### ***Exemptions and other special tax treatment***

Comments from participants included that:

- Provincial and federal buildings should not be exempt from taxation.
- There is no need to rely on tax exemptions to attract businesses to the Province. There are many other ways to attract them.

### **Industrial and Agricultural Property Assessment**

#### ***Farm property assessment***

Comments from participants included that:

- The MGA needs to define what criteria assessors are using to determine what is considered a farm property.
- There should be a clause in the MGA to ensure that farm assessments are only applied to land that is used for farming.

## Assessment Administration

### ***Assessment administration***

Comments from participants included that:

- Assessment dates are confusing, and should be the same across the Province.
- The MGA should outline how to assess a building that crosses two property lines.

## Public Participation and Assessment Appeals

### ***Assessment complaints and appeals***

Comments from participants included that:

- At the local level, assessment appeals are biased, and assessments cost too much in legal fees.
  - The Province should be responsible for all assessment appeals in order to provide an unbiased perspective, and to promote consistency.
  - Residential property holders generally feel that it is not worth the effort to go through the appeal process because it is time-consuming and expensive.
- Municipally-employed clerks should be given more authority to resolve appeals.

## **Planning and Development**

The following input was received and documented related to planning and development.

### Fees and Levies

#### ***Fees and levies***

Comments from participants included that:

- Provincial and federal governments should not be exempt from contributing their fair share to offsite levies.
- Municipalities should have the flexibility to charge offsite levies as new services are required, rather than just being able to charge levies once.
- Municipalities should have the ability to charge offsite levies at different times for roads, water, sewer and storm water infrastructure.

### Land Management and Planning Tools

#### ***Statutory plans and land use bylaws***

Comments from participants included that:

- Statutory plans should have expiry dates to ensure councils are reviewing them in a timely manner.

### Land Dedication and Use of Reserves

#### ***Land dedication (reserves)***

Comments from participants included that:

- Municipalities should have the ability to hold more than 10 per cent for municipal reserves within new subdivisions.

### Regional Approaches

#### ***Managing growth and development***

Comments from participants included that:

- The MGA should make it mandatory for municipalities to create inter-municipal development plans.
- There should be no veto powers allowed in regional collaboration arrangements like the Capital Region Board.

## Public Participation and Planning Appeals

### ***Planning and inter-municipal appeals***

Comments from participants included that:

- It is challenging to train volunteers for appeal boards. The Subdivision Development Appeal Boards should have a training program similar to the one for assessment appeal boards.
- An independent or independent third-party should review of all Subdivision Development Appeal Board decisions.
- Where a municipal council is the subdivision and development approving body, that council's decisions should be final.
  - However, removing the appeal process on these decisions could increase corruption.
- Regional appeal boards would cause problems because each municipality has their own local policies and approval structures.

## Appendix A: Session Agenda

### *MGA Review: Municipal Administrators Session*

Agenda Item	Timing
1. Welcome and introductions	1:00-1:10
<p>2. Potential topics for discussion:</p> <p><b>Governance and Administration</b></p> <p><u>Subject 1: Municipal Powers, Structures, Annexations and Other Changes</u></p> <ul style="list-style-type: none"> <li>• Municipal powers</li> <li>• Municipal structures</li> <li>• Fundamental changes and municipal restructuring</li> </ul> <p><u>Subject 2: Municipal Governance and Administration</u></p> <ul style="list-style-type: none"> <li>• Municipal governance</li> <li>• Municipal administration</li> </ul> <p><u>Subject 3: Municipal Finances</u></p> <ul style="list-style-type: none"> <li>• Financial administration</li> <li>• Regional funding approaches</li> <li>• Municipal revenue sources</li> <li>• Fees and levies</li> </ul> <p><u>Subject 4: Municipal Accountability, Liability, and Risk Management</u></p> <ul style="list-style-type: none"> <li>• Compliance and accountability</li> <li>• Liability and risk management</li> <li>• Provincial powers</li> </ul> <p><u>Subject 5: Municipal Services and Delivery</u></p> <ul style="list-style-type: none"> <li>• Service provisions</li> <li>• Regional services commissions</li> <li>• Municipally controlled corporations</li> </ul> <p><u>Subject 6: Public Participation and Municipal Relations</u></p> <ul style="list-style-type: none"> <li>• Municipal relationships and dispute resolution</li> <li>• Public participation</li> <li>• Municipal Government Board</li> </ul> <p><b>Assessment and Taxation</b></p> <p><u>Subject 1: Taxation and Municipal Finances</u></p> <ul style="list-style-type: none"> <li>• Taxation</li> <li>• Municipal revenue sources</li> <li>• Fees and levies</li> </ul> <p><u>Subject 2: Exemptions from Assessment and Taxation</u></p> <ul style="list-style-type: none"> <li>• Exemptions and other special tax treatment</li> </ul>	1:10-1:20

Agenda Item	Timing
<p><b>Assessment and Taxation Continued</b></p> <p><u>Subject 3: Market Value Equalized and Supplementary Assessment</u></p> <ul style="list-style-type: none"> <li>• Market value assessment and administration</li> <li>• Equalized assessment</li> <li>• Progressive and supplementary assessment</li> </ul> <p><u>Subject 4: Industrial and Agricultural Property Assessment</u></p> <ul style="list-style-type: none"> <li>• Linear property assessment</li> <li>• Machinery and equipment property assessment</li> <li>• Transportation properties</li> <li>• Farm property assessment</li> </ul> <p><u>Subject 5: Assessment Administration</u></p> <ul style="list-style-type: none"> <li>• Assessment administration</li> </ul> <p><u>Subject 6: Public Participation and Assessment Appeals</u></p> <ul style="list-style-type: none"> <li>• Public participation</li> <li>• Assessment complaints and appeals</li> <li>• Municipal Government Board</li> </ul> <p><b>Planning and Development</b></p> <p><u>Subject 1: Fees and Levies</u></p> <ul style="list-style-type: none"> <li>• Fees and levies</li> </ul> <p><u>Subject 2: Land Management and Planning Tools</u></p> <ul style="list-style-type: none"> <li>• Statutory plans and land use bylaws</li> </ul> <p><u>Subject 3: Subdivision and Development Authorities and Processes</u></p> <ul style="list-style-type: none"> <li>• Planning authorities</li> <li>• Administrative decision-making processes</li> </ul> <p><u>Subject 4: Land Dedication and Use of Reserves</u></p> <ul style="list-style-type: none"> <li>• Land dedication (reserves)</li> </ul> <p><u>Subject 5: Regional Approaches</u></p> <ul style="list-style-type: none"> <li>• Municipal relationships and dispute resolution</li> <li>• Managing growth and development</li> <li>• Regional funding approaches</li> </ul> <p><u>Subject 6: Public Participation and Planning Appeals</u></p> <ul style="list-style-type: none"> <li>• Municipal Government Board</li> <li>• Public participation</li> <li>• Planning and inter-municipal appeals</li> </ul>	
<p><b>3. Change tables (if needed)</b></p>	<p>1:20-1:25</p>

Agenda Item	Timing										
<p><b>4. Table facilitation</b></p> <ul style="list-style-type: none"> <li>▪ Two topics will be prioritized for discussion for each block</li> </ul> <table border="1" data-bbox="310 474 1156 720"> <tr> <td data-bbox="310 474 618 525"><b>Block 1: 1:25-2:05</b></td> <td data-bbox="618 474 1156 525">Governance and Administration Topics</td> </tr> <tr> <td colspan="2" data-bbox="310 525 1156 575" style="text-align: center;"><i>Break (5 mins)</i></td> </tr> <tr> <td data-bbox="310 575 618 625"><b>Block 2: 2:10-2:50</b></td> <td data-bbox="618 575 1156 625">Assessment and Taxation Topics</td> </tr> <tr> <td colspan="2" data-bbox="310 625 1156 676" style="text-align: center;"><i>Break (5 mins)</i></td> </tr> <tr> <td data-bbox="310 676 618 720"><b>Block 3: 2:55-3:35</b></td> <td data-bbox="618 676 1156 720">Planning and Development Topics</td> </tr> </table> <ul style="list-style-type: none"> <li>▪ Discussion will focus on what is working well, desired changes, and potential impacts of changes to the legislation</li> </ul>	<b>Block 1: 1:25-2:05</b>	Governance and Administration Topics	<i>Break (5 mins)</i>		<b>Block 2: 2:10-2:50</b>	Assessment and Taxation Topics	<i>Break (5 mins)</i>		<b>Block 3: 2:55-3:35</b>	Planning and Development Topics	1:25-3:35
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<p><b>5. Open discussion</b></p> <ul style="list-style-type: none"> <li>▪ Are there any other relevant topics participants want to address?</li> </ul>	3:35-3:55										
<p><b>6. Wrap-up</b></p>	3:55-4:00										