

(4) Before making a bylaw under this section, the council must give notice of the proposed bylaw in a manner the council considers is likely to bring the proposed bylaw to the attention of substantially all persons that would be affected by it.

(5) A bylaw under subsection (1) or (2) must provide for a method by which persons may opt to receive the notice, document or information by electronic means.

(6) The sending by electronic means of any notice, document or information referred to in subsection (1) or (2) is valid only if the person to whom it is sent has opted under the bylaw to receive it by those means.

(18) Section 616 is amended by adding the following after clause (j):

(j.1) “joint use and planning agreement” means an agreement under section 670.1;

(19) Section 627.1 is amended

(a) by repealing subsection (3) and substituting the following:

(3) A person appointed as a clerk of a subdivision and development appeal board may also hold an appointment under section 456 as a clerk of an assessment review board.

(b) in subsection (4) by striking out “No designated officer is eligible for appointment under this section unless that designated officer” and substituting “No person is eligible for appointment as a clerk of a subdivision and development appeal board unless that person”.

(20) Section 631 is repealed and the following is substituted:

Intermunicipal development plans

631(1) Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal

(18) Adds definition.

(19) Section 627.1 presently reads in part:

(3) A clerk appointed under this section must be a designated officer and may be a person who holds an appointment as a clerk under section 456.

(4) No designated officer is eligible for appointment under this section unless that designated officer has successfully completed a training program in accordance with the regulations made under section 627.3(a).

(20) Section 631 presently reads:

631(1) Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

(2) Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).

(3) The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.

(4) Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.

(5) If 2 or more councils that are required to adopt an intermunicipal development plan under subsection (1) do not have an intermunicipal development plan in place by April 1, 2020 because they have been unable to agree on a plan, they must immediately notify the Minister and the Minister must, by order, refer the matter to the Municipal Government Board for its recommendations in accordance with Part 12.

(6) Where the Minister refers a matter to the Municipal Government Board under this section, Part 12 applies as if the matter had been referred to the Board under section 514(2).

(7) Two or more councils of municipalities that are not otherwise required to adopt an intermunicipal development plan under subsection (1) may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

(8) An intermunicipal development plan

(1.2) Two or more councils of municipalities that are not otherwise required to adopt an intermunicipal development plan under subsection (1) may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

(2) An intermunicipal development plan

(a) must address

- (i) the future land use within the area,*
- (ii) the manner of and the proposals for future development in the area,*
- (iii) the provision of transportation systems for the area, either generally or specifically,*
- (iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,*
- (v) environmental matters within the area, either generally or specifically, and*
- (vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary,*

and

(b) must include

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,*
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and*
- (iii) provisions relating to the administration of the plan.*

(3) The council of a municipality that is required under this section to adopt an intermunicipal development plan must have an intermunicipal development plan that provides for all of the matters

(a) must address

- (i) the future land use within the area,
- (ii) the manner of and the proposals for future development in the area,
- (iii) the provision of transportation systems for the area, either generally or specifically,
- (iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,
- (v) environmental matters within the area, either generally or specifically, and
- (vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary,

and

(b) must include

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and
- (iii) provisions relating to the administration of the plan.

(9) Despite subsection (8), to the extent that a matter is dealt with in a framework under Part 17.2, the matter does not need to be included in an intermunicipal development plan.

(10) In creating an intermunicipal development plan, municipalities must negotiate in good faith.

referred to in subsection (2) within 2 years from the date this subsection comes into force.

(4) Subject to the regulations, if municipalities that are required to create an intermunicipal development plan are not able to agree on a plan, sections 708.33 to 708.43 apply as if the intermunicipal development plan were an intermunicipal collaboration framework.

(5) In creating an intermunicipal development plan, the municipalities must negotiate in good faith.

(21) Section 631.1 is amended

(a) in subsection (1)

- (i) by repealing clause (a);**
- (ii) in clause (b) by striking out “intermunicipal plan” and substituting “intermunicipal development plan”;**
- (iii) by repealing clause (c);**

(b) by adding the following after subsection (1):

(1.1) After considering the recommendations of the Municipal Government Board respecting a matter referred to the Board under section 631(5), the Minister may, by order, require 2 or more municipal authorities to establish an intermunicipal development plan in accordance with the order by a date specified in the order.

(1.2) If the municipal authorities to whom an order under subsection (1.1) applies do not comply with the order, the Minister may make a further order establishing an intermunicipal development plan that is binding on the municipal authorities.

(c) by repealing subsection (2).

(22) Section 665 is amended by adding the following after subsection (3):

(4) For greater certainty, where a bylaw of the council requires that land be designated as environmental reserve, the designation becomes effective on the day the Registrar issues a new certificate of title for the land under subsection (2)(c).

(23) The following is added after section 670:

Joint use and planning agreements

670.1(1) Where on the coming into force of this section a school board is operating within the municipal boundaries of a municipality, the municipality must, within 3 years after this section comes into force, enter into an agreement under this section with the school board.

(21) Section 631.1 presently reads:

631.1(1) The Minister may make regulations

- (a) requiring 2 or more municipal authorities to establish an intermunicipal development plan in accordance with any requirements contained in the regulations or in an ALSA regional plan;*
- (b) respecting the matters to be included in an intermunicipal plan;*
- (c) respecting the time within which an intermunicipal plan must be complete.*

(2) If the municipal authorities to whom an ALSA regional plan applies or to whom a regulation under subsection (1) applies do not comply with the ALSA regional plan or the regulation, the Minister may establish an intermunicipal development plan that is binding on the municipal authorities.

(22) Section 665 presently reads in part:

(3) The certificate of title for a municipal reserve, school reserve, municipal and school reserve, environmental reserve, conservation reserve or public utility lot under this section must be free of all encumbrances, as defined in the Land Titles Act.

(23) Joint use and planning agreements.

(2) Where after the coming into force of this section a school board commences operating within the municipal boundaries of a municipality, the municipality must, within 3 years after the school board commences operating in the municipality, enter into an agreement under this section with the school board.

(3) An agreement under this section must contain provisions

- (a) establishing a process for discussing matters relating to
 - (i) the planning, development and use of school sites on municipal reserves, school reserves and municipal and school reserves in the municipality,
 - (ii) transfers under section 672 or 673 of municipal reserves, school reserves and municipal and school reserves in the municipality,
 - (iii) disposal of school sites,
 - (iv) the servicing of school sites on municipal reserves, school reserves and municipal and school reserves in the municipality, and
 - (v) the use of school facilities, municipal facilities and playing fields on municipal reserves, school reserves and municipal and school reserves in the municipality, including matters relating to the maintenance of the facilities and fields and the payment of fees and other liabilities associated with them,
- (b) respecting how the municipality and the school board will work collaboratively,
- (c) establishing a process for resolving disputes, and
- (d) establishing a time frame for regular review of the agreement,

and may, subject to this Act, the regulations, the *Education Act* and the regulations under that Act, contain any other provisions the parties consider necessary or advisable.

(4) More than one municipality may be a party to a joint use and planning agreement.

(5) A joint use and planning agreement may be amended from time to time as the parties consider necessary or advisable.

(24) Section 694(1) is amended by repealing clause (b.1).

(25) Section 708.01(1) is amended in the portion preceding clause (a) by striking out “this Part” and substituting “this Part and Part 17.2”.

(24) Section 694(1)(b.1) presently reads:

694(1) The Lieutenant Governor in Council may make regulations

(b.1) respecting the application of sections 708.33 to 708.43 for the purposes of section 631(4);

(25) Section 708.01(1) presently reads:

708.01(1) In this Part,

- (a) “growth management board” means a growth management board established by regulation under section 708.02;*
- (b) “growth plan” means an integrated growth management plan, including any amendments to that plan, approved by the Minister under section 708.1;*
- (c) “growth region” means all or part of the land lying within the boundaries of the participating municipalities of a growth management board that is designated by regulation under section 708.02 as the growth region for that growth management board;*
- (d) “municipal agreement” means an agreement entered into by a participating municipality;*
- (e) “participating municipality” means a municipality that is designated by regulation under section 708.02 as a member of the growth management board;*
- (f) “representative” means a person appointed by a participating municipality under section 708.04 to represent the participating municipality on a growth management board;*
- (g) “statutory plan” means*
 - (i) a statutory plan as defined in section 616(dd), or*
 - (ii) an amendment to a statutory plan referred to in subclause (i).*

(26) Section 708.041 is amended

- (a) in subsection (1) by striking out “or (3)”;**
- (b) by repealing subsection (3);**
- (c) in subsection (5)(b) by striking out “or under the regulations under subsection (8)”;**
- (d) in subsection (7) by striking out “, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend”;**
- (e) by repealing subsection (8).**

(27) Section 708.26 is amended

- (a) in subsection (1)**
 - (i) in clause (a) by striking out “Division 3” and substituting “section 708.35”;**
 - (ii) by adding the following after clause (b):**
 - (c) “servicing plan” means the servicing plan, if any, required by a regulation under section 708.02.**
- (b) in subsection (2) by striking out “Subject to the regulations, a reference” and substituting “A reference”.**

(26) Section 708.041 presently reads in part:

708.041(1) Growth management boards and their committees must conduct their meetings in public unless subsection (2) or (3) applies.

(3) Growth management boards and their committees may close all or part of their meetings to the public if a matter to be discussed is of a class prescribed or otherwise described in the regulations under subsection (8).

(5) Before closing any part of a meeting to the public, a growth management board or growth management board committee must by resolution approve

(b) the basis on which, under an exception to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act or under the regulations under subsection (8), the part of the meeting is to be closed.

(7) Where a growth management board or growth management board committee closes all or part of a meeting to the public, the board or committee may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend.

(8) The Minister may make regulations prescribing or otherwise describing classes of matters for the purposes of subsection (3).

(27) Section 708.26 presently reads:

708.26(1) In this Part,

(a) “arbitrator” means a person who is chosen as an arbitrator under Division 3;

(b) “framework” means an intermunicipal collaboration framework entered into between 2 or more municipalities in accordance with this Part, and includes any amendments to a framework.

(2) Subject to the regulations, a reference in this Part to a municipality includes an improvement district.

(28) Section 708.27 is amended by striking out “require municipalities to develop an intermunicipal collaboration framework” **and substituting** “provide for intermunicipal collaboration frameworks”.

(29) Section 708.28 is repealed and the following is substituted:

Requirements for framework

708.28(1) Municipalities that have common boundaries must create a framework with each other by April 1, 2020 unless they are members of the same growth management board.

(2) Municipalities that are members of the same growth management board may create a framework with other members of the same growth management board in respect of matters that are not addressed in the growth plan or the servicing plan.

(3) Municipalities that do not have common boundaries may be parties to a framework.

(4) A municipality may be a party to more than one framework.

(5) Despite subsection (1), the Minister may by order exempt, on any terms and conditions the Minister considers necessary, one or more municipalities from the requirement to create a framework.

(6) For greater certainty, a municipality that is a member of a growth management board must create a framework with a municipality that is not a member of the same growth management board if they have common boundaries.

(28) Section 708.27 presently reads:

708.27 The purpose of this Part is to require municipalities to develop an intermunicipal collaboration framework among 2 or more municipalities

- (a) to provide for the integrated and strategic planning, delivery and funding of intermunicipal services,*
- (b) to steward scarce resources efficiently in providing local services, and*
- (c) to ensure municipalities contribute funding to services that benefit their residents.*

(29) Section 708.28 presently reads:

708.28(1) Subject to subsection (4), municipalities that have common boundaries must, within 2 years from the coming into force of this section, create a framework with each other.

(2) Municipalities that do not have common boundaries may be parties to a framework.

(3) A municipality may be a party to more than one framework.

(4) Despite subsection (1),

- (a) municipalities that are members of a growth management board are required to create a framework with other members of the same growth management board only in respect of those matters that are not addressed in the growth plan or the servicing plan;*
- (b) the Minister may by order exempt one or more municipalities from the requirement to create a framework.*

(5) Despite subsection (1) but subject to subsection (6), a framework to be created pursuant to subsection (4)(a) must be created by the municipalities within 2 years from the date on which the growth management board is established.

(6) Municipalities that are members of the growth management board referred to in section 708.02(1.2) must create a framework pursuant to subsection (4)(a) within 2 years from the coming into force of this section.

(30) Section 708.29 is amended

- (a) by repealing subsection (1) and substituting the following:**

Contents of framework

708.29(1) A framework must describe the services to be provided under it that benefit residents in more than one of the municipalities that are parties to the framework.

- (b) by repealing subsection (2) and substituting the following:**

(2) In developing the content of the framework required by subsection (1), the municipalities must identify which municipality is responsible for providing which services and outline how the services will be delivered and funded.

- (c) by adding the following after subsection (3):**

(3.1) Every framework must contain provisions establishing a process for resolving disputes that occur while the framework is in effect, other than during a review under section 708.32, with respect to

- (a)** the interpretation, implementation or application of the framework, and
- (b)** any contravention or alleged contravention of the framework.

(7) Despite subsection (4)(a), the Minister may require municipalities that are members of a growth management board to create a framework with other members of the same growth management board that address the services listed in section 708.29(2)(a) to (e), in which case subsections (5) and (6) apply in respect of that framework.

(8) An order under subsection (4)(b) may contain terms or conditions that the Minister considers necessary.

(9) For greater certainty, municipalities that are members of a growth management board must create a framework with those municipalities with which they have common boundaries that are not members of that growth management board

(30) Section 708.29 presently reads in part:

708.29(1) A framework

(a) must list

- (i) the services being provided by each municipality,*
 - (ii) the services being shared on an intermunicipal basis by the municipalities, and*
 - (iii) the services in each municipality that are being provided by third parties by agreement with the municipality,*
- at the time the framework is created,*

(b) must identify

- (i) which services are best provided on a municipal basis,*
 - (ii) which services are best provided on an intermunicipal basis, and*
 - (iii) which services are best provided by third parties by agreement with the municipalities,*
- (c) for services to be provided on an intermunicipal basis, must outline how each service will be*
- (i) intermunicipally delivered, including which municipality will lead delivery of the service,*

- (ii) *intermunicipally funded, and*
 - (iii) *discontinued by a municipality when replaced by an intermunicipal service,*
 - (d) *must set the time frame for implementing services to be provided on an intermunicipal basis,*
 - (e) *may contain any details required to implement services on an intermunicipal basis including details in respect of planning for, locating and developing infrastructure to support the services,*
 - (f) *may contain*
 - (i) *provisions for the purposes of developing infrastructure for the common benefit of residents of the municipalities, and*
 - (ii) *any other provisions authorized by the regulations,*
 - (g) *must meet the requirements of Division 4, and*
 - (h) *must meet any other requirements established by the regulations.*
- (2) *With respect to the requirements of subsection (1)(b), each framework must address services relating to*
- (a) *transportation,*
 - (b) *water and wastewater,*
 - (c) *solid waste,*
 - (d) *emergency services,*
 - (e) *recreation, and*
 - (f) *any other services, where those services benefit residents in more than one of the municipalities that are parties to the framework.*
- (3) *Nothing in this Part prevents a framework from enabling an intermunicipal service to be provided in only part of a municipality.*

(31) The following is added after section 708.29:

Court order to comply

708.291 If a municipality that is a party to an intermunicipal collaboration framework fails to participate in the dispute resolution process set out in the framework or fails to comply with an agreement reached by the parties as a result of that process, any other party to the framework may apply to the Court of Queen's Bench for an order directing the municipality to comply with the process or agreement.

(32) Section 708.3 is repealed.

(33) Section 708.32 is amended by adding the following after subsection (1):

(1.1) Unless a framework provides otherwise, it may be reviewed at any time by agreement of all the municipalities that are parties to it.

(34) The heading preceding section 708.33 is repealed.

(35) Section 708.33 is amended

(a) by repealing subsection (1) and substituting the following:

(31) Court order to comply.

(32) Section 708.3 presently reads:

708.3(1) A framework is not complete for the purposes of section 708.29 unless the councils of the municipalities that are parties to the framework have also adopted an intermunicipal development plan under section 631 or an intermunicipal development plan is included as an appendix to the framework.

(2) Subsection (1) does not apply if the Minister has exempted one or more of the councils of the municipalities from the requirement to adopt an intermunicipal development plan pursuant to section 631(1.1).

(3) Despite section 631, to the extent that a matter is dealt with in a framework, the matter does not need to be included in an intermunicipal development plan.

(33) Section 708.32 presently reads in part:

708.32(1) The municipalities that are parties to a framework must review the framework at least every 5 years after the framework is created, or within a shorter period of time as provided for in the framework.

(34) The heading preceding section 708.33 presently reads:

*Division 2
Framework Created
by Agreement*

(35) Section 708.33 presently reads in part:

708.33(1) Municipalities must create a framework by adopting matching bylaws that contain the framework.

Method of creating framework

708.33(1) In order to create a framework, the municipalities that are to be parties to the framework must each adopt a bylaw or resolution that contains the framework.

(b) by repealing subsection (2);

(c) in subsection (4) by striking out “ensure that a copy of it is filed with the Minister” **and substituting** “notify the Minister of the framework”.

(36) The heading preceding section 708.34 is repealed and the following is substituted:

**Division 2
Arbitration**

(37) Section 708.34 is amended by striking out “or” at the end of clause (a), adding “or” at the end of clause (b) and adding the following after clause (b):

- (c) the municipalities**
 - (i) have an intermunicipal framework,**
 - (ii) have attempted to resolve a dispute referred to in section 708.29(3.1) using the dispute resolution process under the framework, and**
 - (iii) have been unsuccessful in resolving the dispute within one year after starting the dispute resolution process.**

(38) Section 708.35 is repealed and the following is substituted:

Arbitration

708.35(1) Where section 708.34(a), (b) or (c) applies, the municipalities must refer the matter to an arbitrator.

(2) The arbitrator must be chosen by the municipalities or, if they cannot agree, by the Minister.

(3) Any mediator who has assisted the municipalities in attempting to create a framework is eligible to be an arbitrator under this Division.

(2) An intermunicipal development plan created as part of a framework may be adopted by the same bylaw that adopts the framework if the requirements of section 692 are met with respect to that plan.

(4) Once the municipalities have created a framework, the municipalities must ensure that a copy of it is filed with the Minister within 90 days of its creation.

(36) The heading preceding section 708.34 presently reads:

*Division 3
Arbitration*

(37) Section 708.34 presently reads:

708.34 This Division applies to municipalities that are required under section 708.28(1) to create a framework where

- (a) the municipalities are not able to create the framework within the time required under section 708.28, or*
- (b) when reviewing a framework under section 708.32, the municipalities do not agree that the framework continues to serve the interests of the municipalities and one of the municipalities provides written notice to the other municipalities and the Minister stating that the municipalities are not able to agree on the creation of a replacement framework.*

(38) Section 708.35 presently reads:

708.35(1) Where municipalities are subject to this Division, their dispute must be referred to an arbitrator in accordance with the regulations.

(2) The arbitrator must be chosen by the municipalities or, if they cannot agree, by the Minister.

(3) Any mediator who has assisted the municipalities in attempting to create a framework is eligible to be an arbitrator under this Division.

(4) Where municipalities for whom an arbitrator is appointed create a framework by agreement, the arbitration process ends.

(4) In a case referred to in section 708.34(a) or (b), the arbitration process ends where the municipalities create a framework by agreement or the Minister terminates the arbitration and makes an order under section 708.412.

(5) In a case referred to in section 708.34(c), the arbitration process ends where the municipalities resolve their dispute by agreement, the arbitrator makes an award under section 708.36 or the Minister terminates the arbitration and makes an order under section 708.412.

(6) The *Arbitration Act* applies to an arbitration under this Division except to the extent of any conflict or inconsistency with this Division, in which case this Division prevails.

(7) No municipality may, by means of an intermunicipal collaboration framework or any other means, vary or exclude any provision of the *Arbitration Act* and, for greater certainty, section 3 of the *Arbitration Act* does not apply in respect of an arbitration under this Division.

(8) An arbitrator chosen by the Minister is not subject to challenge or removal under the *Arbitration Act* by the parties or any court, but any party may request the Minister to remove and replace the arbitrator and the Minister may do so if the Minister considers it appropriate after considering the reasons for the request and any response by the other parties and the arbitrator.

(9) Section 42(2)(b) of the *Arbitration Act* does not apply in respect of an arbitration under this Division but the Minister may, at the Minister's discretion or at the request of any party or the arbitrator, terminate the arbitration and make an order under section 708.412.

(10) For greater certainty, nothing in this Division applies to an arbitration that occurs under the dispute resolution terms of a framework before the expiry of the year referred to in section 708.34(c)(iii).

(39) Section 708.36 is repealed and the following is substituted:

Role of arbitrator

708.36(1) Where a dispute is referred to an arbitrator under section 708.35, the arbitrator must make an award that resolves the issues in dispute among the municipalities

- (a) in the case of a framework that is required under section 708.28(1) to be created by April 1, 2020, within one year after that date, or
- (b) in the case of a replacement framework, within one year from the date the arbitrator is chosen.

(2) Despite subsection (1), an arbitrator may, as part of the arbitration process,

- (a) attempt mediation with the municipalities in an effort to resolve the issues in dispute, and
- (b) if the mediation is successful, require the municipalities to complete the framework to reflect their resolution of the dispute within a specified time.

(3) An arbitrator's award may include provisions respecting the responsibility for parties to pay or to share in paying costs, fees and disbursements incurred in the arbitration process.

(4) An arbitrator may require a municipality to provide or to make available for the arbitrator's examination and inspection any books, records or other materials of the municipality, but nothing in this subsection requires the arbitrator to examine or inspect any books, records or other materials before making an award.

(5) Unless the arbitrator rules otherwise, hearings in the arbitration are open to the public.

(6) An arbitrator may solicit written submissions from the public and, if the arbitrator does so, the arbitrator must take into account any written submissions received.

(7) An arbitrator must not make an award

(39) Section 708.36 presently reads:

708.36(1) Where a dispute is referred to an arbitrator under section 708.35, the arbitrator must, subject to the regulations, by order create a framework for those municipalities

- (a) in the case of an original framework, within 3 years from the coming into force of section 708.28, or*
- (b) in the case of a replacement framework, within one year from the date the arbitrator is chosen.*

(2) Despite subsection (1), an arbitrator may, as part of the arbitration process, attempt mediation with the municipalities, and

- (a) resolve the dispute and require the municipalities to complete the framework within a reasonable time, or*
- (b) recommend an outline for a framework and give the municipalities a reasonable time to complete the framework.*

- (a) that has the effect of granting, varying or otherwise affecting any licence, permit or approval that is subject to this Act or any other enactment,
- (b) on any matter that is subject to the exclusive jurisdiction of the Municipal Government Board,
- (c) that is contrary to the *Alberta Land Stewardship Act* or an ALSA regional plan,
- (d) that is contrary to an intermunicipal development plan under Part 17 or a growth plan or servicing plan,
- (e) that directs a municipality to raise revenue by imposing a specific tax rate, off-site levy or other rate, fee or charge, or
- (f) that directs a municipality to transfer revenue to another municipality, unless
 - (i) the revenue transfer is directly related to services provided by a municipality that the revenue-transferring municipality derives benefit from, and
 - (ii) the arbitrator considers it equitable to do so.

(40) Section 708.37 is repealed.

(40) Section 708.37 presently reads:

708.37(1) Where a dispute is referred to an arbitrator under section 708.35, each municipality must

- (a) provide to the arbitrator a report setting out what that municipality considers are the specific reasons why the municipalities are unable to create a framework, and*
- (b) participate in the arbitration process in accordance with the regulations.*

(2) Where a municipality fails to participate in the arbitration process, the arbitrator may

- (a) require the chief administrative officer of the municipality to produce any information required by the arbitrator, or*
- (b) settle the dispute or create a framework without the participation of that municipality.*

(41) Section 708.38 is amended

(a) in subsection (1)

- (i) in the portion preceding clause (a) by striking out “or creating a framework, an arbitrator must” and substituting “, an arbitrator may”;**
- (ii) in clause (f) by striking out “prescribed by the regulations” and substituting “that the arbitrator considers relevant”;**

(b) by repealing subsection (2).

(42) Section 708.39 is repealed.

(43) Section 708.4 is amended

(a) by repealing subsection (1) and substituting the following:

Municipalities must adopt framework and amend bylaws

708.4(1) Where an arbitrator makes an award respecting a framework, the municipalities are bound by the award and must, within 60 days after the date of the award, adopt a framework in accordance with the award.

(1.1) A municipality must amend its bylaws, other than its land use bylaw, as necessary to reflect the framework within 2 years after adopting the framework.

(1.2) If there is a conflict or inconsistency between a bylaw and the framework, the framework prevails to the extent of the conflict or inconsistency.

(41) Section 708.38 presently reads:

708.38(1) In resolving a dispute or creating a framework, an arbitrator must have regard to

(a) the services and infrastructure provided for in other frameworks to which the municipalities are also parties,

(f) any other matters prescribed by the regulations.

(2) When creating a framework by order, an arbitrator shall not make an order that is inconsistent with the criteria established in the regulations.

(42) Section 708.39 presently reads:

708.39(1) A framework created by an arbitrator must, subject to the regulations, comply with section 708.29.

(2) The parties to a framework created by an arbitrator may, by agreement, amend the framework.

(3) For greater clarity, Division 1, except section 708.28(1), applies to a framework created by an arbitrator.

(43) Section 708.4 presently reads in part:

708.4(1) Where a framework is created by an arbitrator, the municipalities that are the parties to the framework must amend their bylaws, other than their land use bylaws, to be consistent with the framework.

(3) A municipality must not amend, repeal or revise its bylaws to be inconsistent with a framework to which it is a party or an order of an arbitrator applicable to it.

(b) in subsection (3) by striking out “order” and substituting “award”.

(44) Section 708.41 is amended in subsection (1) by striking out “order” and substituting “award”.

(45) The following is added after section 708.41:

Remuneration of experts

708.411 Where an arbitrator appoints an expert, the expert must be paid on a proportional basis by the municipalities that are or will be parties to the framework, with each municipality’s proportion of the costs to be determined in the same manner as is required under section 708.41(2) for an arbitrator.

Minister may make orders

708.412(1) Despite this Division or any arbitration occurring under this Division, the Minister may at any time make any order the Minister considers appropriate to further the development of a framework among 2 or more municipalities to carry out the purpose of this Part, including, without limitation, an order establishing a framework that is binding on the municipalities.

(2) If there is a conflict or inconsistency between an order made by the Minister under this section and an action taken by a municipality or a growth management board, the Minister’s order prevails to the extent of the conflict or inconsistency.

(46) Section 708.42 is repealed.

(44) Section 708.41(1) presently reads:

708.41(1) Subject to an order of the arbitrator or an agreement by the parties, the costs of an arbitrator under this Part must be paid on a proportional basis by the municipalities that are to be parties to the framework as set out in subsection (2).

(45) Remuneration of experts; Minister may make orders.

(46) Section 708.42 presently reads:

708.42 An order made by the arbitrator under section 708.36(1)(b) must be filed with the Minister within 7 days of being made.

(47) Section 708.43(1) is repealed and the following is substituted:

Measures to ensure compliance with award

708.43(1) If a municipality fails to comply with section 708.4(1), any other municipality that is or will be a party to the framework may apply to the Court of Queen's Bench for an order requiring that municipality to comply with section 708.4(1).

(48) The heading preceding section 708.44 and sections 708.44, 708.45 and 708.46 are repealed.

(47) Section 708.43(1) presently reads:

708.43(1) If a municipality fails to amend its bylaws to be consistent with the framework as required by section 708.4(1) within the time required by the regulations, one of the other municipalities that are parties to the framework may apply to the Court of Queen's Bench for an order requiring that municipality to comply with section 708.4(1).

(48) The heading preceding section 708.44 and sections 708.44, 708.45 and 708.46 presently read:

*Division 4
Resolving Disputes Under
Existing Framework*

708.44 In this Division, "decision maker" means a person appointed to make decisions under a binding dispute resolution process referred to in section 708.45.

708.45(1) Every framework must contain provisions respecting a binding dispute resolution process that meets the requirements of the regulations for resolving disputes with respect to

- (a) the interpretation, implementation or application of the framework, and*
- (b) any contravention or alleged contravention of the framework.*

(2) If a framework does not contain one or more of the provisions required by subsection (1), the framework is deemed to contain the model provisions prescribed by the regulations respecting any matter in respect of which the framework is silent.

708.46 If a municipality fails to comply with an order of a decision maker, one of the other municipalities that are parties to the framework may apply to the Court of Queen's Bench for an order directing the municipality to comply with the decision maker's order or restraining any conduct found by the Court to be in contempt of the decision maker.

(49) The heading preceding section 708.47 is repealed and the following is substituted:

**Division 3
General**

(50) The following is added after section 708.47:

Obligations continue during dispute

708.471 During a dispute in respect of a framework, the parties must continue to perform their obligations under the framework.

(51) Section 708.48 is amended

(a) by repealing subsection (1);

(b) by adding the following after subsection (3):

(4) Except as provided in this Part, every award of an arbitrator is final and binding on all parties to the award and shall not be questioned, reviewed or restrained by any proceeding in the nature of an application for judicial review or otherwise in any court.

(5) An award of an arbitrator may be reviewed by the Court of Queen's Bench on a question of jurisdiction only and the application for judicial review must be made within 60 days after the award is made.

(6) For the purposes of a judicial review, the arbitrator is considered to be an expert in relation to all matters over which the arbitrator has jurisdiction.

(7) A person making an application to the Court of Queen's Bench under this section must give the arbitrator notice of the application.

(52) Section 708.49 is amended by striking out "or of an arbitrator".

(49) The heading preceding section 708.47 presently reads:

*Division 5
General*

(50) Obligations continue during dispute.

(51) Section 708.48 presently reads in part:

708.48(1) In this section and section 708.49, “arbitrator” includes a decision maker under Division 4.

(3) The arbitrator must make the findings and determinations the arbitrator determines to be necessary to decide the matters referred to the arbitrator.

(52) Section 708.49 presently reads:

708.49 A person who wishes to have an order of the Minister or of an arbitrator under this Part declared invalid on any basis must make an application for judicial review within 60 days after the order is made.

(53) Section 708.5 is repealed.

(54) Section 708.52 is repealed and the following is substituted:

Regulations

708.52 The Lieutenant Governor in Council may make regulations

- (a) respecting a subsequent action before a court following a decision of an arbitrator;
- (b) defining any term or expression that is used in this Part but not defined in this Act;
- (c) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the intent of this Part.

(53) Section 708.5 presently reads:

708.5 Except to the extent provided for in the regulations, the Arbitration Act does not apply to an arbitration conducted under this Part.

(54) Section 708.52 presently reads:

708.52 The Lieutenant Governor in Council may make regulations

- (a) respecting frameworks, including, without limitation, regulations respecting the provisions that must or may be included in a framework;*
- (b) respecting the process to be followed to create, amend or cancel a framework;*
- (c) respecting arbitration under Division 3, including, without limitation, regulations respecting*
 - (i) the appointment of an arbitrator,*
 - (ii) the circumstances under which an arbitrator must create a framework,*
 - (iii) the powers, duties and functions of an arbitrator,*
 - (iv) the practice and procedures of an arbitrator,*
 - (v) the participation of municipalities in the arbitration process, and*
 - (vi) the criteria to be considered by an arbitrator in making an order under section 708.38(2);*
- (d) prescribing matters for the purposes of section 708.38(1)(f);*
- (e) respecting the time within which municipalities that are parties to a framework must amend their bylaws to be consistent with the framework;*
- (f) respecting the provisions required to be included in the binding dispute resolution process under Division 4, including, without limitation, regulations*
 - (i) governing the dispute resolution process and the appointment of a decision maker,*

(55) Subject to subsections (56) and (57), this section has effect on January 1, 2020.

(56) Subsection (3) has effect on April 4, 2018.

(57) Subsections (18) and (23) come into force on Proclamation.

- (ii) *respecting the powers, duties and functions of a decision maker,*
 - (iii) *respecting the practice and procedures of a decision maker,*
 - (iv) *respecting the orders that a decision maker may issue, including orders*
 - (A) *requiring an amendment to a framework,*
 - (B) *requiring a municipality to cease any activity that is inconsistent with the framework,*
 - (C) *providing how a municipality's bylaws must be amended to be consistent with the framework, and*
 - (D) *providing for an award, which may include interest,**and*
 - (v) *respecting the costs, fees and disbursements incurred in respect of the binding dispute resolution process and who bears those costs;*
 - (g) *prescribing model provisions for the purposes of section 708.45(2);*
 - (h) *respecting a subsequent action before a court following a decision of an arbitrator or decision maker;*
 - (i) *defining any term or expression that is used in this Part but not defined in this Act;*
 - (j) *respecting the extent, if any, to which the Arbitration Act applies to an arbitrator under this Part;*
 - (k) *respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the intent of this Part.*
- (55) Coming into force.
- (56) Coming into force.
- (57) Coming into force.

Persons with Developmental Disabilities Foundation Act

Repeals RSA 2000 cP-9

11 The *Persons with Developmental Disabilities Foundation Act* is repealed.

Safety Codes Act

Amends RSA 2000 cS-1

12(1) The *Safety Codes Act* is amended by this section.

(2) Section 65.1 is repealed.

Small Power Research and Development Act

Repeals RSA 2000 cS-9

13 The *Small Power Research and Development Act* is repealed.

An Act to Strengthen Municipal Government

Amends SA 2017 c13

14(1) *An Act to Strengthen Municipal Government* is amended by this section.

(2) Section 1 is amended

(a) by repealing subsection (55);

(b) in subsection (64) by striking out the new section 670.1.