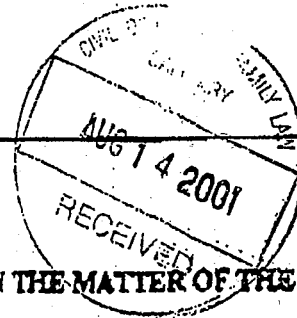




MUNICIPAL AFFAIRS



Office of  
the Minister

**IN THE MATTER OF THE  
IMPROVEMENT DISTRICTS ACT  
Being Chapter I-1, R.S.A., 1980**

**MINISTERIAL ORDER**

and the

**POLICIES ON ROLES AND  
RESPONSIBILITIES OF THE ADVISORY  
COUNCIL AND ADVISORY COUNCILLORS  
OF IMPROVEMENT DISTRICTS**

**ALL IMPROVEMENT DISTRICTS**

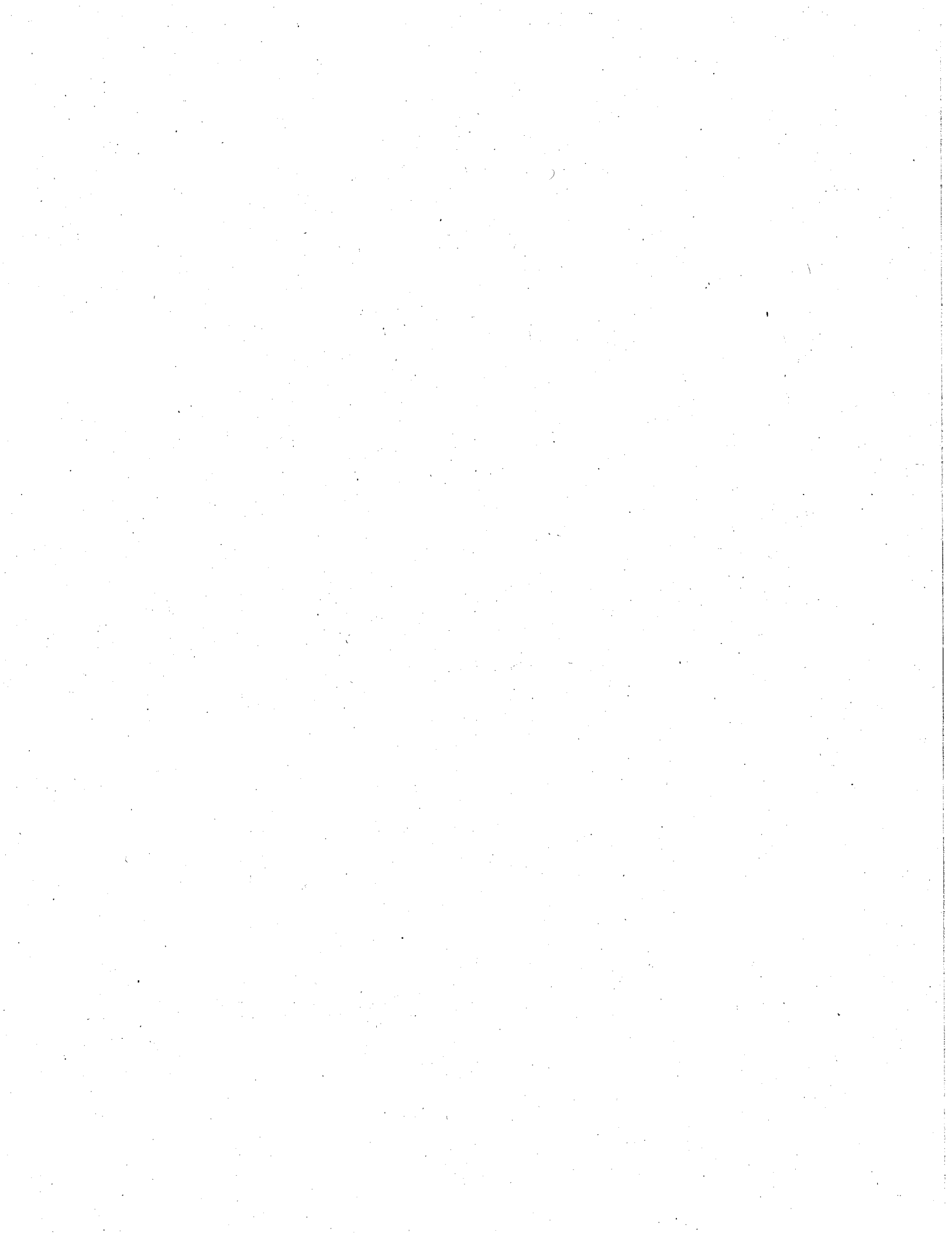
Pursuant to Section 16(1) of the Improvement Districts Act, IT IS ORDERED AS FOLLOWS:

The Policies on Roles and Responsibilities of the Advisory Council and Advisory Councillors of Improvement Districts, as stated in the attached amending schedule, is hereby adopted for all Improvement Districts.

**DR. STEPHEN C. WEST  
Minister of Municipal Affairs**

**DATED at EDMONTON,  
in the PROVINCE of ALBERTA,**

this 26 day of June, A.D., 1993.



SCHEDULE A

IMPROVEMENT DISTRICT ORDERS

**INTRODUCTION**

On November 20, 1992, the Minister of Municipal Affairs delegated certain duties, powers and functions to the Improvement District Councils. As a result of this delegation of authority, the method used to deal with these delegations had to be changed. With Improvement Districts wanting a more autonomous role in local government, it was felt they should begin following some of the policy and procedure practices currently exercised in municipalities and as identified in the Municipal Government Act (MGA).

In municipalities, the MGA and other provincial legislation require that a great deal of business be conducted through bylaws. In activities where by-laws are required, and also are appropriate to Improvement Districts, Advisory Councils will exercise their authority through Improvement District Orders. These will appear in the same formatting and layout as a municipal bylaw. A sample is attached.

**PREPARATION**

The drafting of Improvement District Orders will be the duty of the Improvement District office on behalf of the Advisory Council.

Improvement District Orders should be drafted in plain and simple language whenever possible, as they are normally perceived by the public as an indication of the reasonableness and common sense of Council.

Words and phrases having more than one meaning should be defined clearly within the Improvement District Order.

Headings, subtitles and marginal notes can be used to clarify sections of the Improvement District Orders, but do not form part of the Improvement District Orders. They are for reference only and cannot be used for legal interpretations of the Improvement District Order.

<p><b>FORMATTING</b></p> <p>Numbering</p>	<p>Improvement District Orders should contain a consistent and uniform numbering and/or lettering system for sections, subsections, paragraphs and sub-paragraphs. They should be logically numbered and indexed for easy availability and identification. You may wish to have a two digit code added to the beginning or end of a sequential number to identify the year in which a Improvement District Orders was passed.</p>
<p>Improvement District Name</p>	<p>Always use the full title of the Improvement District when referring to it in the Improvement District Order; for example, use the "Improvement District of Anywhere No. Whatever, in the Province of Alberta" rather than just the Improvement District.</p>
<p>Précis</p>	<p>The précis should contain a brief statement of the purpose of the Improvement District Orders.</p>
<p>Enactment Clause</p>	<p>The enactment clause introduces that the Advisory Council wishes to make a specific order. Plain language requires that it be prepared "Pursuant to section ___ of the _____ Act, the advisory council orders as follows:"</p>
<p>Definitions</p>	<p>All terms which are particular to the Improvement District Order and the Improvement District should be defined.</p>
<p>Statements of whom and to what the Improvement District Order applies</p>	<p>It should be stated that the Improvement District Order applies to all specified persons or to all businesses or to corporations, etc. In all cases the Improvement District Order must be specific in declaring who or what is affected.</p>
<p>Significant General Rules and Special Provisions</p>	<p>The Improvement District Order should set out any general rules or special provisions which would be applied.</p>
<p>Schedule Clause</p>	<p>Schedules may be added to a Improvement District Order as a supplement and should refer to matters which change on a periodic basis such as fees and dates. The body of the Improvement District Order must contain references to the attached schedule. The use of a schedule is a tool that simplifies the processing of amendments to the Improvement District Order.</p>
<p>Transitional Clause</p>	<p>Provisions to cover the time period during which persons affected by the Improvement District Order can do things in order to conform to the new conditions must be included if applicable.</p>

<b>Rescinding Clause</b>
<b>Effective Date</b>
<b>READINGS</b>
<b>Signatures</b>
<b>Passing of Improvement District Orders</b>
<b>Publicity and Hearing</b>

All previous Improvement District Orders which deal with subjects similar to or overlap with the new Improvement District Order must either be rescinded or amended. Identify the number of and the description of the Improvement District Order to be rescinded or amended.

Generally, all Improvement District Orders will come into effect on the date of its final passing. This should be identified in the effective date clause. Should it be necessary the effective date be later than the date of signing, it should be specified. Effective dates can not be made retroactive.

Each reading of a Improvement District Order must be recorded on the Improvement District Order in a manner identified on the sample attached.

Section 105, particularly Section 105.1 of the Municipal Government Act, is very specific in its provisions regarding the readings of by-laws. This forms the basis of procedures for Improvement District Order readings.

When recording the readings in the minutes of the Advisory Council meeting, extra care must be taken when three readings are to be given at one meeting. The Secretary taking the minutes must ensure the readings and the motion to authorize the final reading are recorded.

The Improvement District Order must be signed by both the Chairman and the Manager. It is very important that when a Improvement District Order has only been given one or two readings at one meeting, that it be signed by the Chairman and the Manager to validate the document.

Certain formalities must be followed when passing Improvement District Orders, strict observation of proper procedures must be followed. Always check the authorizing Act in order to determine which procedures must be followed with respect to each Improvement District Order. Sections 99 through 104, of the Municipal Government Act outline some of the procedures that should be followed.

In some cases a Improvement District Order can not be passed until the public has been advised of the intention to pass the Improvement District Order. In which case a public hearing will be necessary. These hearings must take place prior to the final reading of the Improvement District Order.

SIGNING AND SEALING
AMENDING OR RESCINDING
SECURITY OF IMPROVEMENT DISTRICT ORDERS

Section 104(1) of the Municipal Government Act provides that every bylaw shall be under the seal of the Municipality and endorsed by the Mayor of the municipality. In the case of an Improvement District, the endorsement of the Chairman of the Improvement District or person presiding at the meeting at which the Improvement District Order is finally passed and by the Manager at the meeting is necessary.

An Improvement District Order which has received three readings and is finally passed, can only be amended or rescinded by passing another Improvement District Order with three complete readings. In situations where the assent of the electors was required, amending and rescinding in the same manner is required.

It will be the responsibility of each Improvement District to administer a register of these Improvement District Orders along with maintaining the actual Improvement District Order.

M.O. #48

IMPROVEMENT DISTRICT ORDER NO. 1-92

THE IMPROVEMENT DISTRICT OF SOMEWHERE NO. 52 IN THE PROVINCE OF ALBERTA  
BEING AN IMPROVEMENT DISTRICT ORDER TO ADOPT THE FOLLOWING  
APPOINTMENTS TO THE AGRICULTURAL SERVICE BOARD

**AUTHORITY** WHEREAS Section 5, of the Agricultural Service Board Act, R.S.A. 1980 and amendments thereto, empowers an advisory council with the approval of the Minister of Municipal Affairs, to appoint members to the Agricultural Service Board for the Improvement District of Nowhere No. 52;

**ENACTMENT** "Pursuant to section \_\_\_\_ of the \_\_\_\_\_ Act, the advisory council orders as follows:

1. That the members as set out in Schedule "A" attached hereto and forming a part of this Improvement District Order is hereby adopted by the Advisory Council for the Improvement District of Somewhere No. 52 in the Province of Alberta, subject to the approval of the Minister of Municipal Affairs.
2. The adoption of this appointment is effective upon the date of the passing of the third and final reading of this Improvement District Order.

READ a first time this \_\_\_\_ day of \_\_\_\_\_ A.D., 19\_\_

READ a second time this \_\_\_\_ day of \_\_\_\_\_ A.D., 19\_\_

READ a third time this \_\_\_\_ day of \_\_\_\_\_ A.D., 19\_\_

Chairman

Manager

