

AAMDC CITY CHARTERS OVERVIEW DOCUMENT

The Alberta Association of Municipal Districts and Counties (AAMDC) has been strongly committed to the review of the Municipal Government Act (MGA) and has worked to find solutions for all of Alberta's municipalities throughout the legislative and regulatory review process.

The AAMDC has followed and supported, where possible, the discussion on city charters anticipating that their purpose would be to address the unique challenges that both Edmonton and Calgary may have as Alberta's largest cities. The following details the features of the City Charter Regulation released in August 2017.

TOPIC	CHANGE IN REGULATION
Administrative Efficiency	
<i>City Charters will modernize processes, remove obstacles to innovation and efficiency, provide greater autonomy for administrative decision-making, and ensure appropriate accountability mechanisms are in place.</i>	
Electronic Notices	Allows the Cities to send and receive information and documents, such as assessment and tax notices, electronically. Citizens will be required to opt-in to receive electronic documents.
Online School Support Declarations	Allows Calgary and Edmonton to use electronic means to deliver and receive school support declarations. Citizens will be required to opt-in to receive electronic documents.
Technology and assessments	Clarifies that technology, such as photographs, can be used when collecting or recording property data.
Allow continuous bylaws for supplementary assessment/tax, sub-class, and business assessment/tax	Grants the Cities the ability to make these bylaws continuous until the Cities choose to change them. New bylaws or amendments to the bylaws would still have to be passed by city council.
Community Organizations Property Tax Exemption Regulation timelines	Allows Cities to extend the exemption period for community organization tax exemptions to five years from the current three years.
Delegation of Powers	Allows council to delegate responsibilities to any person or group of people to ensure that councils focus on important municipal matters while reducing time spent on administrative tasks. Councils will still be required to debate and vote on all matters to pass bylaws, appoint the Chief Administrative Officer, and

TOPIC	CHANGE IN REGULATION
	adopt budgets, along with several other important council duties.
Tax Cancellation	Allows the councils of Calgary and Edmonton to delegate tax cancellation authority for sums of money less than an accumulated \$500,000 per year. Tax cancellation decisions that are in excess of \$500,000 per year must continue to be made by city council.
Affidavit evidence	Permits written sworn statements of fact (i.e. affidavits) as sufficient evidence for bylaw offences.
Assessment Review Board information disclosure timelines	In instances where the hearing date is set early, divide any additional time beyond the legislated minimum into two equal parts for the landowner and the city.
Catch-all assessment class	Amends the definitions for "residential" and "non-residential" property classes, making the non-residential property class the default
Bylaws and municipal purpose	Gives Calgary and Edmonton the flexibility to pass a bylaw for any of the broad municipal purposes identified in the Municipal Government Act
Bylaw fines	Allows the Cities to increase the maximum potential fine for serious bylaw offences to a maximum of \$100,000. This increase is only for offences where a \$10,000 fine would be an insufficient deterrent due to the potential profit that could result from committing the offence, or when a \$10,000 fine does not match the nature of the offence or the harm that the offence may cause to the public or an individual.
	Allows the Cities of Calgary and Edmonton to develop an administrative tribunal system to manage transit and parking tickets.
	Allows the Cities to set their own operating budget requirements and processes, will be able to have a multi-year operating deficit, and will be able to set the financial year.
Regulating licensed premises	Gives the Cities the ability to pass bylaws varying the opening and closing hours of licensed establishments,

TOPIC	CHANGE IN REGULATION
	so long as they do not increase hours beyond those set by the Alberta Gaming and Liquor Commission.
Weed control authority and weed designation authority	Removes the requirement for minister approval for weed control activities under section 26(3) of the Weed Control Act, and to elevate the status of weeds or add weeds to the noxious weed list.
Assessment complaint period for non-residential and residential with more than 3 dwelling units	Allows the Cities to establish a 30-day assessment consultation period for owners of non-residential and residential properties with more than three dwelling units, during which these property owners will receive information and have the ability to discuss with a City representative and ask questions. This consultation period would be followed by a 30-day complaint period, during which the owner can submit a int.
Derelict and contaminated property sub-classing	Allows Calgary and Edmonton to define additional assessment subclasses for derelict and contaminated property
Supplementary assessments on land	When a property or portion of a property changes from farm land to another assessment class midway through the year, allows the Cities to reassess that parcel or portion of a parcel and tax it under its new classification for the rest of the tax year
Local Assessment Review Boards to award costs	Allows business tax complaints to continue to be heard by Local Assessment Review Boards
Allows Evidence and property inspections	Clarifies that the assessor may inspect properties following a complaint or inquiry, and present that evidence at Assessment Review Board hearings
Use of information from property owner where incorrect	Clarifies that the assessor is not required to use information from the property owner if it is believed to be incorrect.
Increasing and decreasing assessments	Clarifies that Assessment Review Boards have the ability to increase or decrease an assessment. Also, clarifies that a board may not alter an assessment that the board considers to be a reasonable approximation of market value.
Improvements used for manufacturing and processing operation	Clarifies that improvements are assessable if improvements are not primarily used for manufacturing and processing operations.

TOPIC	CHANGE IN REGULATION
Environmental reserve assessment	Clarifies that environmental reserve is assessed on a vacant parcel at the time of subdivision.
Supporting Community Well Being	
<i>City Charters are designed to work to improve the wellbeing of citizens in Edmonton and Calgary by supporting the development and maintenance of affordable housing stock to meet the needs of low and medium income households</i>	
Housing agreements to follow title	Allows for housing agreements to remain with the property during a land sale to ensure that the agreement continues and is assumed by the person buying the property.
Affordable housing loans	Allows the Cities to offer loans to individuals developers to incentivize the creation of affordable housing.
Smarter Community Planning	
<i>City Charters will enable smarter community planning within the cities by supporting diversified transportation networks, enabling thoughtful revitalization of existing neighbourhoods, and encouraging growth that meets local needs.</i>	
Variations to the Traffic Safety Act	<p>Gives Calgary and Edmonton the ability to vary the following components of the Traffic Safety Act within their borders:</p> <ul style="list-style-type: none"> Back-in angle parking Variable speed limit signage Cycling infrastructure Default maximum speed limits Yield to buses
Subdivision processes	Allows the Cities to determine their own requirements for subdivision an applications and matters that a subdivision authority must consider making a decision.
Facility setbacks	Allows the Cites to determine appropriate uses withi4 setbacks from landfills, waste storage sites, and wastewater treatment plants without seeking ministerial approval.
Statutory plans	Allows the Cities to create additional statutory plans and determine the contents of them. The Cities will be required to identify how these plans will interact with other statutory plans.

TOPIC	CHANGE IN REGULATION
Land use bylaws	Gives Calgary and Edmonton the authority to determine permitted uses across districts in their land use bylaws. The Cities will continue to be required to outline a process for development permits.
Definitions for schools, hospitals, and food establishments	Allows the Cities, in their land use bylaws, to modified the definition of “food establishments” to provide greater clarity, and to develop their own definitions for “hospitals” and “schools.”
Empowering Local Environmental Stewardship	
<i>City Charters will encourage Calgary and Edmonton to respond to environmental pressures with local solutions, including measures the provide greater community energy security, climate change mitigation and adaptation planning, and protection of the local physical environment.</i>	
Building code energy excellence	Gives the Cities the ability to establish requirements above and beyond existing building code standards, on issues where the building codes are silent, in order to meet environmental and energy conservation objectives
Clean energy loans	Gives Calgary and Edmonton the ability to provide loans to homeowners to fund energy efficiency or renewable energy upgrades in their homes. These loans will be tied to the property
Climate change mitigation and adaptation plans	Requires Calgary and Edmonton to develop climate change mitigation and adaptation plans to ensure the Cities are doing their parts to mitigate and address the impacts of climate change
Environment as it relates to land use as a matter for passing bylaws	Allows Calgary and Edmonton to pass bylaws regarding the environment as it relates to land use.
Environment in planning and development section of MGA	Provides the Cities with explicit authority to consider the environment in its land use planning decisions.