

May 2, 2024

RMA Concerns with Bill 20 Impacts on Municipal Democracy

Bill 20 allows the Government of Alberta unreasonable control over municipal decision-making. RMA is hopeful that promised amendments to the bill will correct this over-reach

On April 25, 2024, [Bill 20: Municipal Affairs Statutes Amendment Act, 2024](#) was introduced in the Legislative Assembly. Bill 20 makes significant amendments to both the *Municipal Government Act* (MGA) and the *Local Authorities Elections Act* (LAEA). On May 2, Minister McIver announced that there [will be changes made to the bill](#) as a response to the criticism [levied from the RMA](#), other stakeholders, and the public. These amendments are not yet known, and as the bill is currently drafted, the RMA is most concerned with the following:

- ♦ **S.603.01 The Lieutenant Governor in Council may make regulations directing a municipality, with or without conditions to amend or repeal a bylaw. (Pg.63)**

With this amendment, Cabinet could amend or repeal any municipal bylaws, including tax rate bylaws. Municipalities develop bylaws to best serve the community and guide all aspects of municipal operations, administration, and governance. Bylaws are the backbone of a municipality's ability to operationalize its vision for the community and provincial intervention could create significant issues if left unchecked.

- ♦ **S. 179.1 The Lieutenant Governor in Council may dismiss a person from council and declare a position on council to be vacant if it is in the public interest. (pg. 55)**

The RMA is concerned that this power, if unchecked, will lead to the province removing councillors without a process to ensure fairness and due diligence. Further, with no definition of public interest, or guidelines for what might lead to dismissal, the province is creating a situation in which democratically elected councillors can be dismissed without cause.

- ♦ **S. 615.11 The Lieutenant Governor in Council, by order, may require a council to take any action that the Lieutenant Governor in Council considers necessary in the circumstances to protect public safety or health. (Pg.63)**

The legislation does not define "protect public safety and health." This amendment is concerning due to the ambiguity around what actions might look like and for how long they would be implemented. This requirement could also have major cost implications for municipalities. If a municipality refuses to abide by provincial direction, Cabinet may dismiss the council or any member of it.

Earlier this week, the RMA provided members with a brief guide on the bill and has issued a [media release](#) speaking to the RMA's concerns. We are [pleased to see that Minister McIver will be making changes](#) to Bill to protect municipal autonomy and will continue to monitor the amendments to see how this will be enacted. As more information is released on Bill 20, the RMA will continue to provide analysis and updates to members.

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