The Alberta Gazette

Part I

Vol. 115 | Edmonton, Tuesday, April 30, 2019 | No. 08

APPOINTMENTS

Reappointment of Supernumerary Provincial Court Judge

(Provincial Court Act)

April 25, 2019
Honourable Judge Bruce Richard Fraser

For a term to expire April 24, 2021.

RESIGNATIONS & RETIREMENTS

Resignation of Full-time Justice of the Peace

(Justice of the Peace Act)

April 5, 2019
Arthur Allan Edwin Wilson, Q.C.

Termination of Non-Presiding Justice of the Peace

(Justice of the Peace Act)

April 11, 2019
Brousseau, Laetitia Marie
Daniele, Samantha Lynn
Hamilton, Kelly Ann Marie
Hominiuk, Brianna Chantel
Kieley, Jillian Melissa
Mehra, Namisha
Pryor, Donna Rae
Tighe, Shannon Marie

GOVERNMENT NOTICES

Energy

Declaration of Withdrawal from Unit Agreement

(Petroleum and Natural Gas Tenure Regulations)

The Minister of Energy on behalf of the Crown in Right of Alberta hereby declares and states that the Crown in right of Alberta has withdrawn as a party to the agreement entitled "DONALDA UNIT" effective January 31, 2019.

Stacey Szeto, *for Minister of Energy.*

The Minister of Energy on behalf of the Crown in Right of Alberta hereby declares and states that the Crown in right of Alberta has withdrawn as a party to the agreement entitled "Windfall D-3 Unit" effective September 30, 2018.

Stacey Szeto, *for Minister of Energy.*

Production Allocation Unit Agreement

(Mines and Minerals Act)

Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Cygnet Duvernay Agreement No. 17" and that the Unit became effective on August 1, 2018.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 17

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	4-27-039: 18NE	0413090082	Crown	15.36	VESTA	100	15.36
2	4-27-039: 18SE	0413090082	Crown	24.92	VESTA	100	24.92
3	4-27-039: 7NE	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	25.48	VESTA	100	25.48
4a	4-27-039: 7SEP	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	24.32	VESTA	100	24.32
4b	4-27-039: 7SEP	0417070281	Crown	0.95	VESTA	100	0.95
5	4-27-039: 6NE	0416110026	Crown	8.97	VESTA	100	8.97

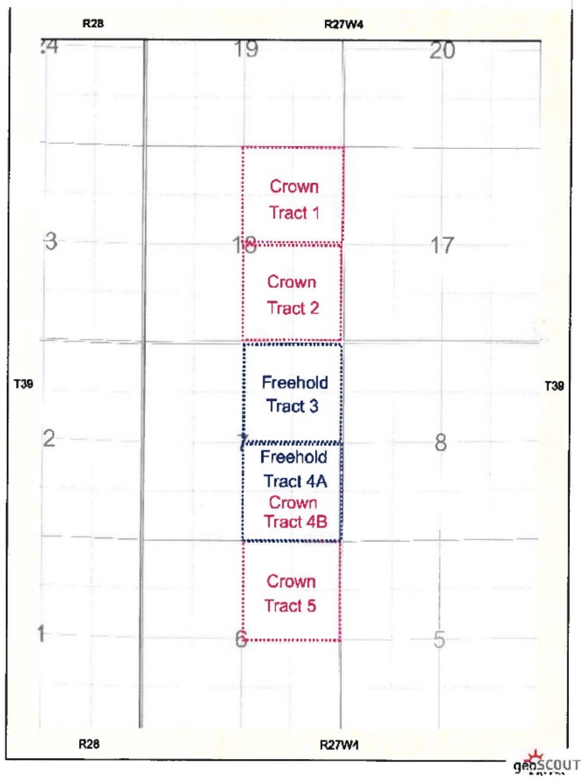
Working Interest Owners:
Vesta Energy Ltd. 100%

Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 17

[PLAT OF UNIT AREA]

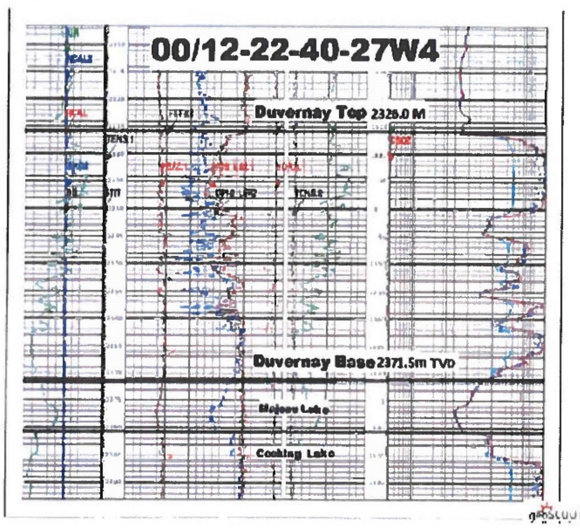


Effective as of the Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 17

A portion of the Neutron Density Log recorded at the well EOG Joffre 12-22-40-27 located in LSD 12.



Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled “Production Allocation Unit Agreement – Cygnet Duvernay Agreement No. 18” and that the Unit became effective on August 1, 2018.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 18

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	4-27-039: 18NE	0413090082	Crown	16.11	VESTA	100	16.11
2	4-27-039: 18SE	0413090082	Crown	24.46	VESTA	100	24.46
3	4-27-039: 7NE	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	25.27	VESTA	100	25.27
4a	4-27-039: 7SEP	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	24.02	VESTA	100	24.02
4b	4-27-039: 7SEP	0417070281	Crown	0.94	VESTA	100	0.94
5	4-27-039: 6NE	0416110026	Crown	9.20	VESTA	100	9.20

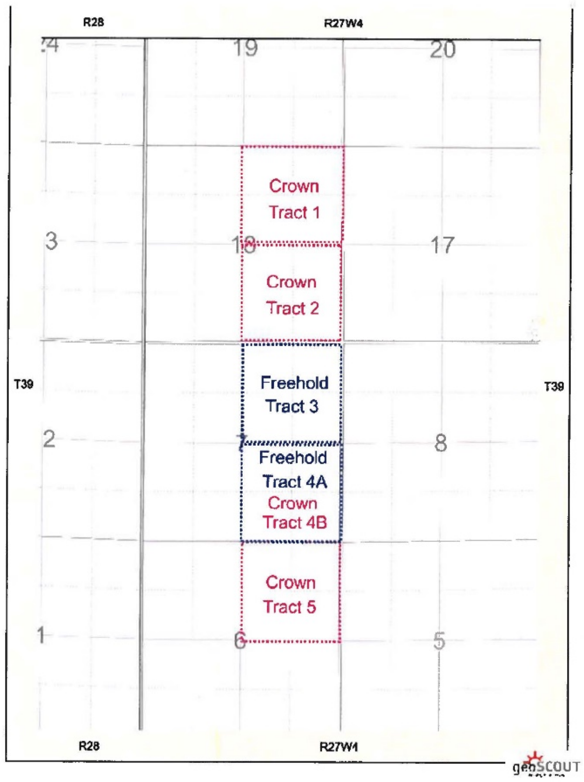
Working Interest Owners:
Vesta Energy Ltd. 100%

Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 18

[PLAT OF UNIT AREA]

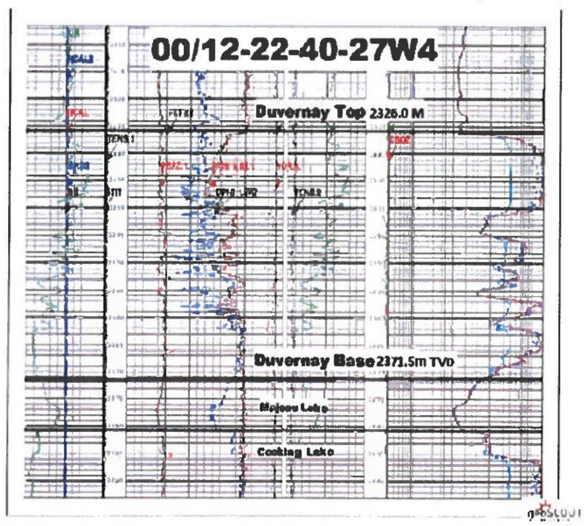


Effective as of the Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 18

A portion of the Neutron Density Log recorded at the well EOG Joffre 12-22-40-27 located in LSD 12.



Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Cygnet Duvernay Agreement No. 19" and that the Unit became effective on August 1, 2018.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 19

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	4-27-039: 18NE	0413090082	Crown	16.50	VESTA	100	16.50
2	4-27-039: 18SE	0413090082	Crown	24.80	VESTA	100	24.80
3	4-27-039: 7NE	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	25.77	VESTA	100	25.77
4a	4-27-039: 7SEP	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	24.48	VESTA	100	24.48
4b	4-27-039: 7SEP	0417070281	Crown	0.95	VESTA	100	0.95
5	4-27-039: 6NE	0416110026	Crown	7.50	VESTA	100	7.50

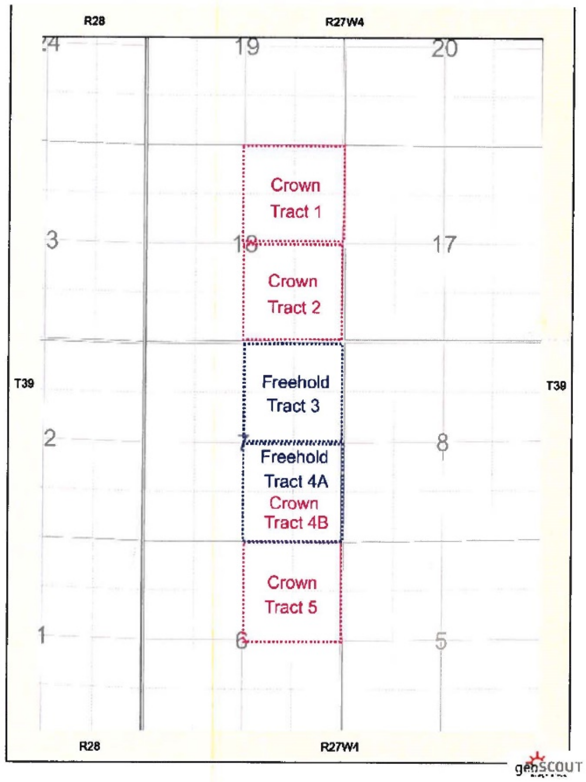
Working Interest Owners:
Vesta Energy Ltd. 100%

Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 19

[PLAT OF UNIT AREA]

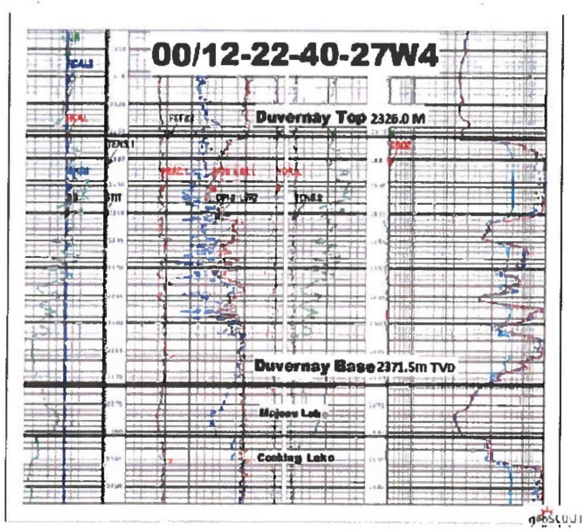


Effective as of the Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 19

A portion of the Neutron Density Log recorded at the well EOG Joffre 12-22-40-27 located in LSD 12.



Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Cygnet Duvernay Agreement No. 20" and that the Unit became effective on August 1, 2018.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 20

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	4-27-039: 18NE	0413090082	Crown	14.56	VESTA	100	14.56
2	4-27-039: 18SE	0413090082	Crown	25.13	VESTA	100	25.13
3	4-27-039: 7NE	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	25.99	VESTA	100	25.99
4a	4-27-039: 7SEP	M1866/M1868 M1870/M1872 M1874/M1876 M1878/M1880 M1882/M1884 M1886/M1888 M1890/M1892 M1894/M1896	Lorne Krogman Barton Krogman Edward Krogman Lexie Holbrook Stewart Krogman Karen Costen Nancy Mooney Alan Krogman	24.89	VESTA	100	24.89
4b	4-27-039: 7SEP	0417070281	Crown	0.97	VESTA	100	0.97
5	4-27-039: 6NE	0416110026	Crown	8.46	VESTA	100	8.46

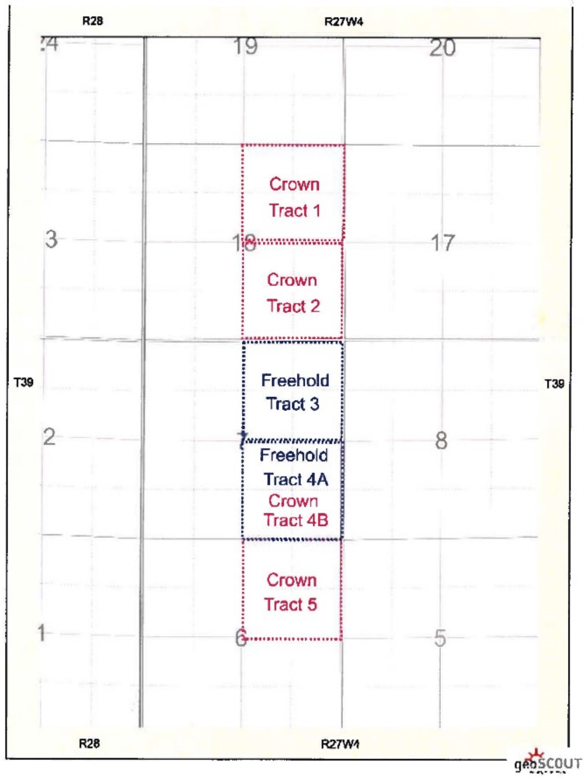
Working Interest Owners:
Vesta Energy Ltd. 100%

Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 20

[PLAT OF UNIT AREA]

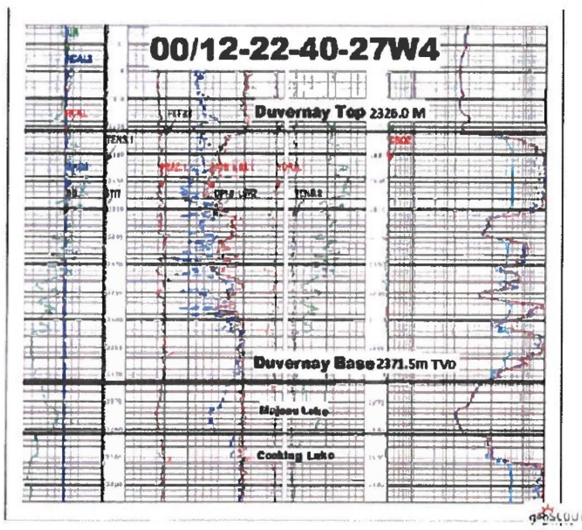


Effective as of the Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
Cygnet Duvernay Agreement No. 20

A portion of the Neutron Density Log recorded at the well EOG Joffre 12-22-40-27 located in LSD 12.



Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Fox Creek Duvernay Agreement No. 2" and that the Unit became effective on June 1, 2017.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Fox Creek Duvernay Agreement No. 2"

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	5-17-061 : 35	OL-6457	Indian Oil and Gas Canada	47.510	Shell Canada Energy	100	47.510
2	5-17-061 : S26, P N26	OL-6457	Indian Oil and Gas Canada	42.259	Shell Canada Energy	100	42.259
3	5-17-061: P N26	0514110053	Crown	10.231	Shell Canada Energy	100	10.231

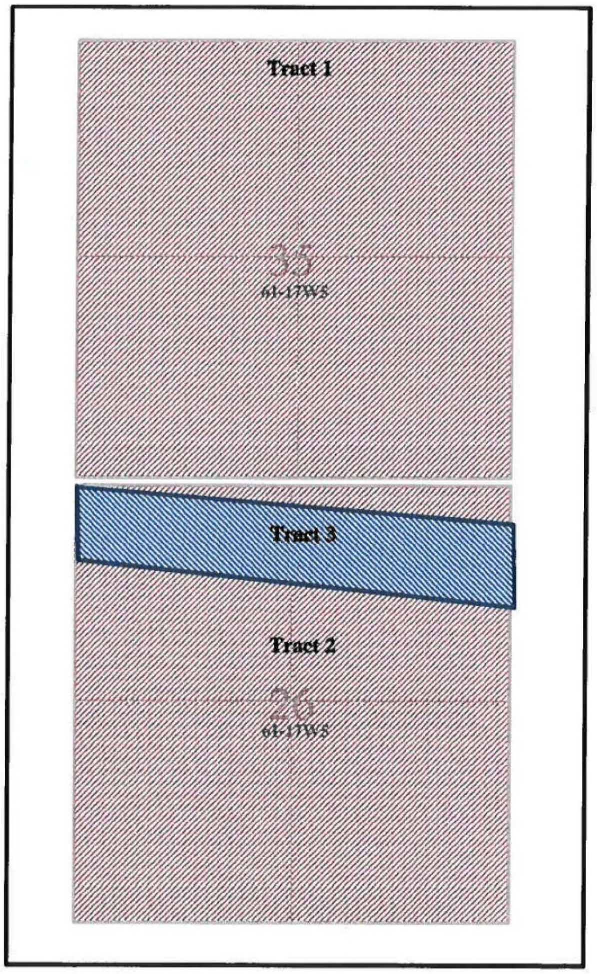
Working Interest Owners:

Shell Canada Energy 100%

Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Fox Creek Duvernay Agreement No. 2"

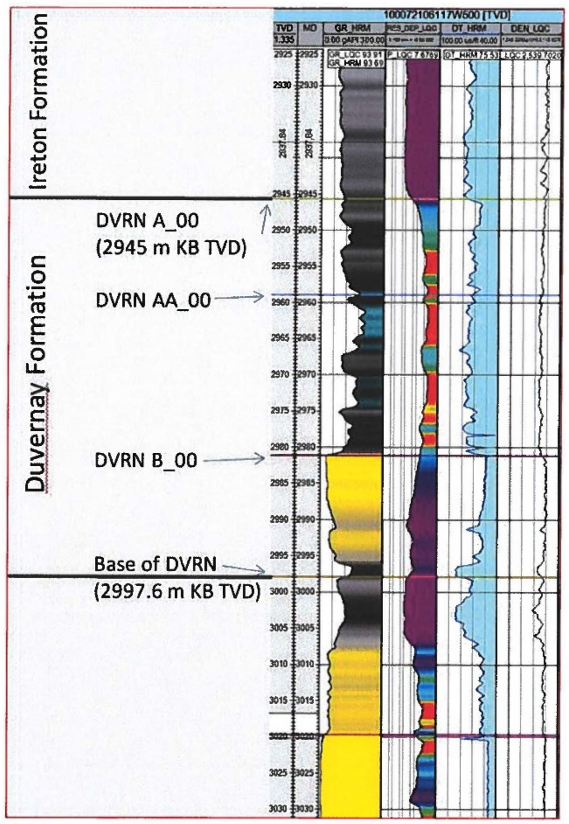


Effective as of the Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Fox Creek Duvernay Agreement No. 2"

A portion of the dual induction laterlog and density/neutron log(s) recorded at the well 100/07-21-061-17W5/00 located in LSD 100/07-21-061-17W5/00.



Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Leduc-Woodbend Rex Agreement No. 1" and that the Unit became effective on July 1, 2018.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Leduc-Woodbend Rex Agreement No. 1"

Tract No.	Land Description (M-R-T:S)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	4-26-049: 10 SE	0416010040	Crown	25.75	Altura Energy Inc.	100	25.75
2	4-26-049: 3 NE	FH	Computershare Trust Company of Canada	37.37	Altura Energy Inc.	100	37.37
3a	4-26-049:3 North half of SE	FH	Evelyn C, David J & John D Halwa	18.64	Altura Energy Inc.	100	18.64
3b	4-26-049:3 South half of SE	FH	Edwin B Halwa	18.24	Altura Energy Inc.	100	18.24

Working Interest Owners:

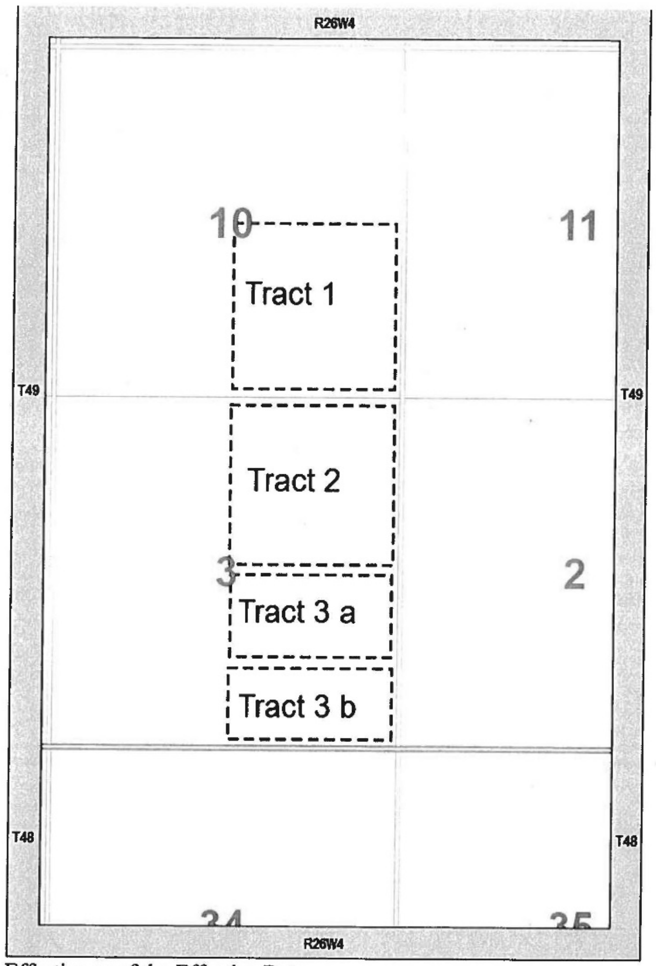
ALTURA ENERGY INC. 100%

Effective as of the Effective Date

"Leduc-Woodbend Rex Agreement No. 1"

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Leduc-Woodbend Rex Agreement No. 1"



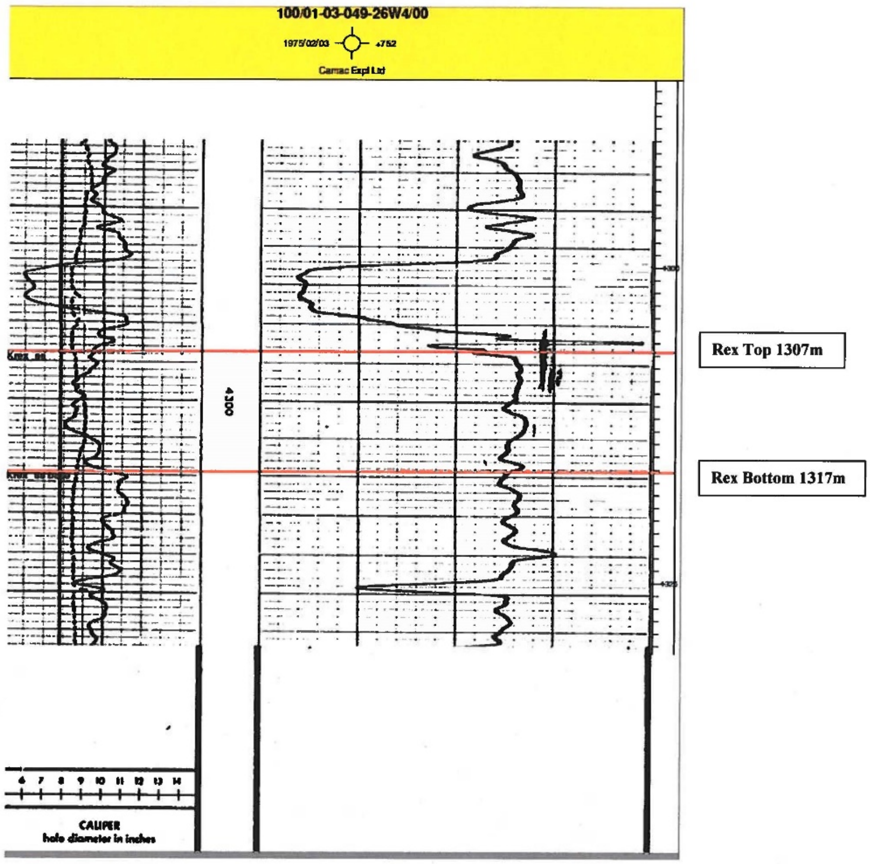
Effective as of the Effective Date

"Leduc-Woodbend Rex Agreement No. 1"

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Leduc-Woodbend Rex Agreement No. 1"

A portion of the Sonic Log recorded at the well 100/01-03-049-26W4 located in LSD 3.



"Leduc-Woodbend Rex Agreement No. 1"

Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled “Production Allocation Unit Agreement – Lochend Cardium Agreement No. 9” and that the Unit became effective on October 1, 2018.

EXHIBIT "A"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
“Lochend Cardium Agreement No. 9”

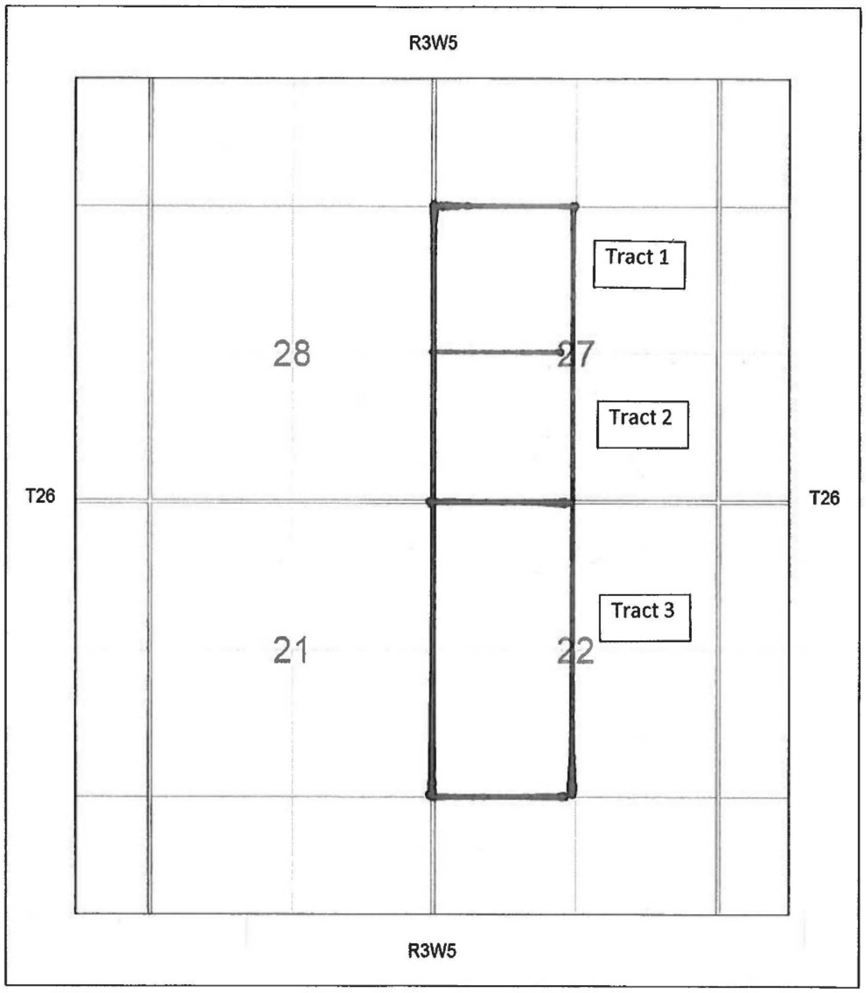
Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	5-03-026: 27NW	Freehold PNG Lease dated June 25, 2013	PrairieSky Royalty Ltd.	25.5%	NAL Resources Limited	100%	25.5%
2	5-03-026: 27SW	Freehold PNG Lease dated June 25, 2013	PrairieSky Royalty Ltd.	25.5%	NAL Resources Limited	100%	25.5%
3	5-03-026: 22W	Crown PNG Lease 0409100215	Crown	49%	NAL Resources Limited	100%	49%

Working Interest Owners:

NAL RESOURCES LIMITED 100% Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Lochend Cardium Agreement No. 9"

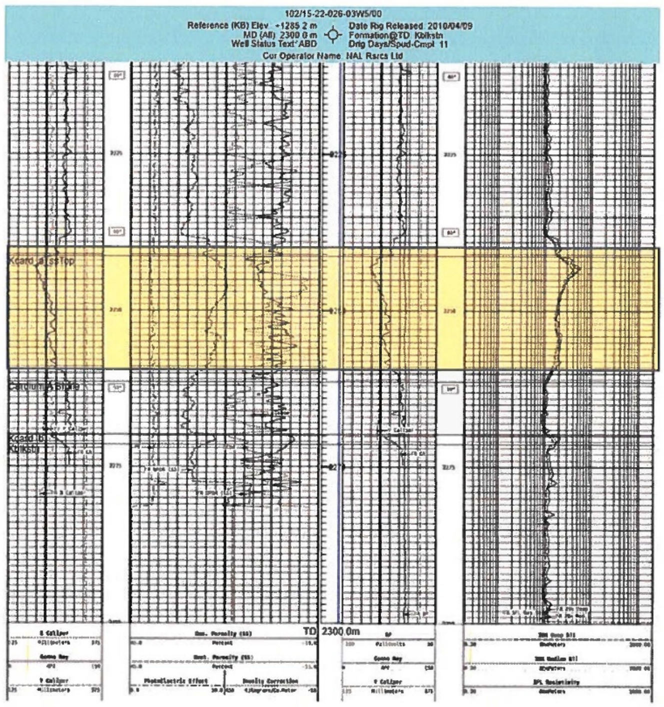


Effective as of Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"Lochend Cardium Agreement No. 9"

A portion of the Neutron Density log recorded at the well 102/15-22-026-03W5/00 located in LSD 15



Cardium Sand
2241-2261 m MD

Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Provost General Petroleum Agreement No. 6" and that the Unit became effective on November 1, 2018.

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"PROVOST GENERAL PETROLEUM AGREEMENT NO. 6"

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	M4 R02 T038: 34N	0404060351	Crown	77.33	WestLake	100	77.33
2	M4 R02 T038: 33NE	HRRC M119575	Heritage	.75	WestLake	100	.75
3	M4 R02 T039: 3S	HRRC M119593	Heritage	21.92	WestLake	100	21.92

Abbreviation	**Meaning**
Heritage	Heritage Royalty Resource Corp.
Crown	HER MAJESTY THE QUEEN IN THE RIGHT OF ALBERTA, as represented by the Minister of Energy
WestLake	West Lake Energy Corp.

Working Interest Owners:

West Lake Energy Corp. 100%

Correction - Effective as of the Effective Date

EXHIBIT "A" - PART I

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"PROVOST GENERAL PETROLEUM AGREEMENT NO. 6"

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	M4 R02 T038: 34N	0404060351	Crown	77.3	WestLake	100	77.3
2	M4 R02 T038: 33NE	HRRC M119575	Heritage	.75	WestLake	100	.75
3	M4 R02 T039: 3S	HRRC M119593	Heritage	21.92	WestLake	100	21.92

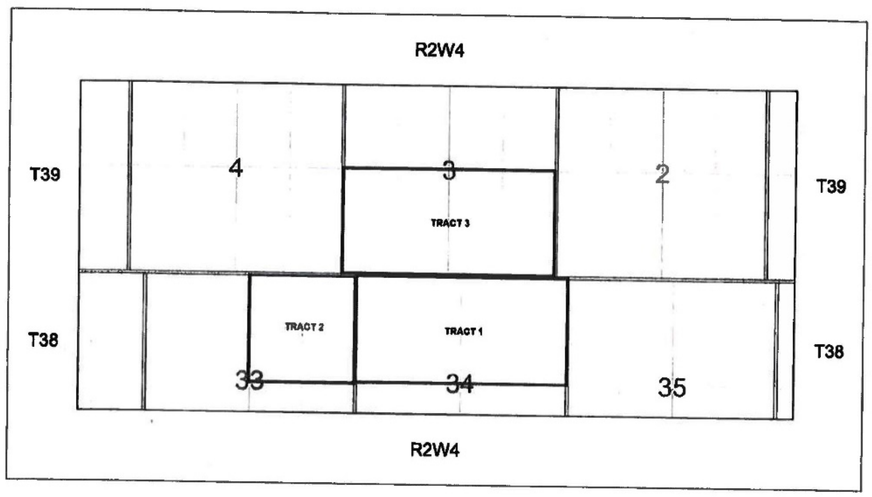
Abbreviation	**Meaning**
Heritage	Heritage Royalty Resource Corp.
Crown	HER MAJESTY THE QUEEN IN THE RIGHT OF ALBERTA, as represented by the Minister of Energy
WestLake	West Lake Energy Corp.

Working Interest Owners:

West Lake Energy Corp. 100%

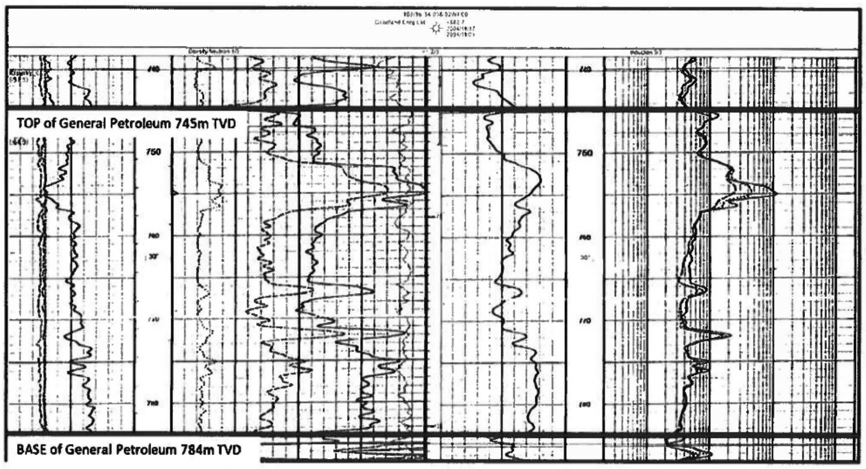
Effective as of the Effective Date

EXHIBIT "B"
ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"PROVOST GENERAL PETROLEUM AGREEMENT NO. 6"



Effective as of the Effective Date

EXHIBIT "C"
ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"PROVOST GENERAL PETROLEUM AGREEMENT NO. 6"
A portion of the Neutron Density Log recorded at the well 102/16-34-038-02W4/00 located in LSD 16



Notice is hereby given, pursuant to section 102 of the Mines and Minerals Act, that the Minister of Energy on behalf of the Crown has executed counterparts of the agreement entitled "Production Allocation Unit Agreement – Wayne-Rosedale Basal Quartz Agreement No. 8" and that the Unit became effective on November 1, 2018.

EXHIBIT "A" - PART I – Tract Participation Page

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"WAYNE-ROSEDALE BASAL QUARTZ AGREEMENT NO. 8"

Tract No.	Land Description (M R T: Sec)	Lease Number	Royalty Owner	Tract Participation (%)	Working Interest Owner	Share of Working Interest (%)	Share of Tract Participation (%)
1	4-18-027: 15 NE	Freehold	Heritage Royalty Resource Corp.	3.46	Torxen Energy Ltd.	76.0927	2.63
					Canadian Natural Resources Ltd.	11.4073	0.40
					Harvard International Resources Ltd.	12.5000	0.43
2	4-18-027: 14 L12, L13	Freehold	Heritage Royalty Resource Corp.	25.63	Torxen Energy Ltd.	100	25.63
3a	4-18-027: 14 L11, L14 portion	0497100018	Crown	3.47	Canadian Natural Resources Ltd.	100	3.47
3b	4-18-027: 14 L11, L14 portion	Freehold	Heritage Royalty Resource Corp.	21.73	Torxen Energy Ltd.	100	21.73
4a	4-18-027: 14 L10 portion, L15 portion	0497100018	Crown	14.60	Canadian Natural Resources Ltd.	100	14.60
4b	4-18-027: 14 L10 portion, L15 portion	Freehold	Heritage Royalty Resource Corp.	11.18	Torxen Energy Ltd.	100	11.18
5a	4-18-027: 14 L9 portion, L16 portion	0497100018	Crown	18.93	Canadian Natural Resources Ltd.	100	18.93
5b	4-18-027: 14 L9 portion, L16 portion	Freehold	Heritage Royalty Resource Corp.	1.00	Torxen Energy Ltd.	100	1.00

Effective as of the Effective Date

EXHIBIT "A" - PART II – WIO Summary Page

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"WAYNE-ROSEDALE BASAL QUARTZ AGREEMENT NO. 8"

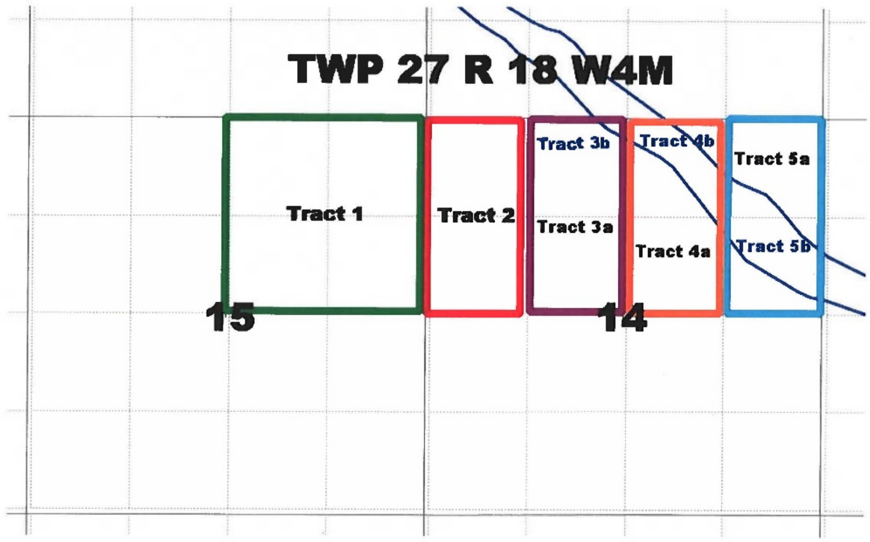
Working Interest Owners:

Torxen Energy Ltd	62.17%
Canadian Natural Resources Ltd	37.40%
Harvard International Resources Ltd.	0.43%

Effective as of the Effective Date

EXHIBIT "B"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"WAYNE-ROSEDALE BASAL QUARTZ AGREEMENT NO. 8"

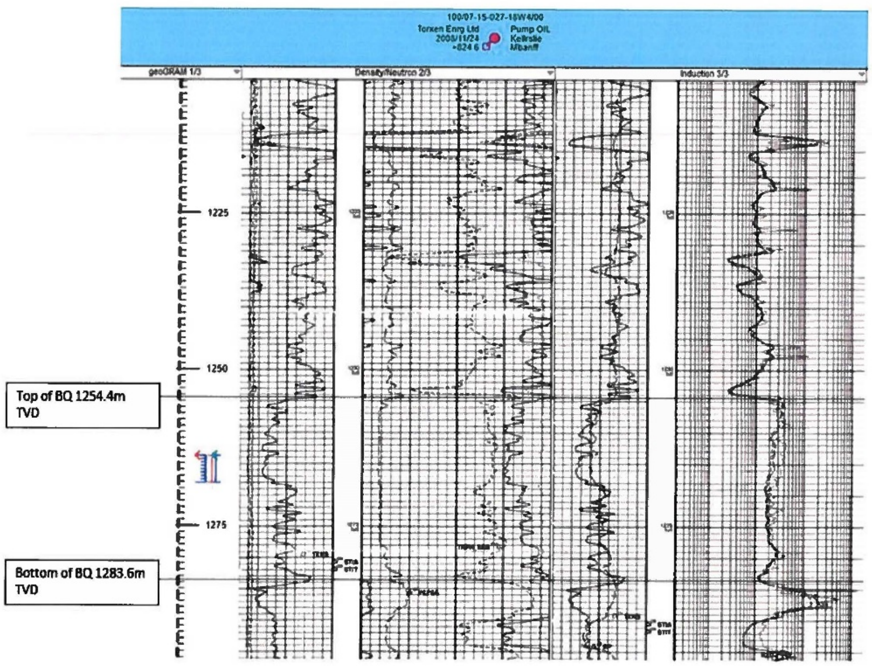


Effective as of the Effective Date

EXHIBIT "C"

ATTACHED TO AND MADE PART OF AN AGREEMENT ENTITLED
"WAYNE-ROSEDALE BASAL QUARTZ AGREEMENT NO. 8"

A portion of the Neutron Density Log recorded at the well 100/07-15-027-18W4M/0 located in LSD 7-15-027-18W4.



Environment and Parks

Code of Practice for Watercourse Crossings
(made under the Water Act and Water (Ministerial) Regulation)

Consolidated to include amendments in force as of March 8, 2019

Table of Contents **Section**

Schedules

Definitions

1(1) All definitions in the *Water (Ministerial) Regulation* and in section 1 of the *Water Act* apply except where expressly defined in this Code of Practice.

(2) In this Code of Practice,

(a) "active channel" means those parts of the bed and banks of a water body that are without terrestrial vegetation;

(b) "this Code of Practice" means the *Code of Practice for Watercourse Crossings*, as amended or replaced from time to time;

(c) "annual operating plan" or "AOP" means a plan prepared and submitted by a forest operator to the Minister responsible for administration of the *Forests Act*;

(d) "to carry out a works" includes to commence or continue the works;

(e) "class" means the class of a water body that is specified in section 8, or that is designated by a class symbol on a map that is listed in Schedule 5;

(f) "to construct" includes to place or install a works;

(g) "emergency" means a situation where there is an imminent risk to the aquatic environment, public health or safety, or an imminent risk of structural failure to a watercourse crossing;

(h) "engineering technical specialist" means a person who

(i) possesses

(A) a post-secondary degree or technical diploma in engineering sciences, or

(B) educational equivalencies,

(ii) has knowledge of hydrology, hydrogeology and water management assessment, and

(iii) is currently experienced in water management and hydrological assessment methods, the determination of expected flows for flood events and the designing of watercourse crossings;

(i) "fish" means fish used for domestic, sport and commercial purposes, and fish of special concern, including but not limited to rare, endangered, threatened or vulnerable species;

(j) "forest operator" means

(i) the person who places, constructs, installs, maintains, replaces or removes a forestry temporary crossing,

(ii) a successor, assignee, executor, administrator, receiver, receiver-manager, liquidator or trustee of a person described in clause (i), or

(iii) a person who acts as the principal or agent of a person described in clause (i) or (ii);

(k) "forestry temporary crossing" means a non-permanent watercourse crossing that is administered under the Operating Ground Rules (OGR);

(l) "maintenance" means the repair, partial replacement or structural restoration of a watercourse crossing that results or may result in the disturbance or alteration of the bed or banks or active channel of a water body;

(m) "map" means a map listed in Schedule 5, and includes the legends on a map;

(n) "mapped water body" means a water body that appears on a map that is listed in Schedule 5;

(o) "operating ground rules" or "OGR" means the Timber Harvest Planning and Operating Ground Rules approved under the *Forests Act* for the area of forest land covered by the timber disposition in which the forestry temporary crossing is located;

(p) "owner" means

(i) the person who places, constructs, installs, maintains, replaces or removes a watercourse crossing,

(ii) a successor, assignee, executor, administrator, receiver, receiver-manager, liquidator or trustee of a person described in clause (i), or

(iii) a person who acts as the principal or agent of a person described in clause (i) or (ii);

(q) "plan" means a plan specified in section 7;

(r) "productive capacity" means the natural capability of habitats that comprise the aquatic environment to produce healthy fish that are safe for human consumption, or to support or produce the naturally occurring diversity of aquatic organisms upon which fish depend;

(s) "professional engineer" means a professional engineer as defined in the *Engineering, Geological and Geophysical Professions Act;*

(t) "qualified aquatic environment specialist" means a person who

(i) possesses

(A) a post-secondary degree in biological sciences,

(B) a technical diploma in biological sciences, or

(C) educational equivalencies,

(ii) has a detailed knowledge of aquatic environment, including fish and fish habitat, management and assessment, and

(iii) is currently experienced with

(A) fisheries and aquatic environment assessment methods, and

(B) the determination of mitigation measures required to maintain the productive capacity of the aquatic environment, including fish habitats in Alberta that may be adversely affected by the carrying out of works in and adjacent to the water, bed and shore of water bodies;

(u) "restricted activity period" means the time period during which fish migration, fish spawning, egg incubation, fry emergence or early fry development are likely to occur in a water body;

(v) "temporary crossing" means a watercourse crossing referred to in section 10 that will remain in place for a maximum period of 6 months from the date that the crossing is constructed, unless otherwise specified by the Director under section 10(4)(a);

(w) "Type 1 crossing" means a watercourse crossing that is constructed using a single span bridge, single span pipeline bridge or other similar structure, that does not have abutments that are placed on or within the bed or within the active channel of a water body;

(x) "Type 2 crossing" means a watercourse crossing that is constructed using an open bottom culvert, or a single or multi-span bridge with abutments or piers or other similar structures that are placed on or within the bed or within the active channel of a water body;

(y) "Type 3 crossing" means a watercourse crossing that is constructed using a round, arch or box culvert or other similar structure, on or within the bed of a water body;

(z) "Type 4 crossing" means a watercourse crossing that is a ford or low level crossing, or other similar crossing, where the crossing is constructed at or below the level of the bed of the water body;

(aa) "Type 5 crossing" means a temporary crossing that is constructed using a logfill, including a logfill combined with snow;

(bb) "uncoded water body" means a mapped water body that does not have a class symbol specified on a map listed in Schedule 5;

(cc) "unmapped water body" means a water body that does not appear on a map listed in Schedule 5;

(dd) "UTM coordinates" means coordinates that use the Universal Transverse Mercator grid to identify or plot the specific location of a site or object;

(ee) "water body" means, for the purpose of this Code of Practice, a water body with defined bed and banks, whether or not water is continuously present, but does not include fish bearing lakes;

(ff) "watercourse crossing" means a crossing, and any associated structures that are or will be constructed to provide access over or through a water body, including but not limited to

(i) structures and measures to isolate the location of the works,

(ii) erosion protection structures, and

(iii) sedimentation management structures,

but does not include

(iv) a pipeline crossing or telecommunication line crossing as defined in the *Code of Practice for Pipeline and Telecommunication Lines Crossing a Water Body,*

(v) the realignment of the channel of a water body beyond a distance of 20 metres upstream and downstream from the watercourse crossing, or the diversion of water from the site of a watercourse crossing, including associated structures, that require an authorization under the *Water Act*, and

(vi) structures that are required to meet clause (a) in Part 1 of Schedule 2 that are located outside the right of way of a watercourse crossing and that require an authorization under the *Water Act*;

(gg) "works" means the placement, construction, installation, maintenance, replacement or removal of all or part of a watercourse crossing except where otherwise specified.

Compliance with the Code of Practice

2(1) For the purpose of section 3(3) of the *Water (Ministerial) Regulation* an owner shall comply with the requirements set out in this Code of Practice.

(2) For the purpose of section 3(3) of the *Water (Ministerial) Regulation* as it relates to a forestry temporary crossing, a forest operator shall comply with the requirements of the applicable OGR.

Notice to the Director

3(1) For the purposes of section 4 of the *Water (Ministerial) Regulation*

(a) notwithstanding the requirement for at least 7 days notice in section 4, an owner must provide notice to the Director at least 14 calendar days before any works are commenced, continued or carried out, unless otherwise specified in writing by the Director;

(b) for a forestry temporary crossing, a forest operator satisfies the requirements of section 4 if the location of the forestry temporary crossing is identified in its AOP submission unless otherwise specified in writing by the Minister responsible for the administration of the *Forests Act*.

(2) The written notice under subsection (1)(a),

(a) for a Type 1 crossing, Type 2 crossing, Type 3 crossing and Type 4 crossing that are not temporary crossings, must contain the information specified in clauses (a), (b), (c), (f) and (g) of Schedule 1, and any information available under clause (d) and (e) of Schedule 1, unless otherwise specified in writing by the Director;

(b) for a temporary crossing, must contain the information specified in clauses (a), (b), (c), and (h) of Schedule 1, unless otherwise specified in writing by the Director; and

subject to section 10(4)(a), authorizes an owner to carry out a works in accordance with this Code of Practice for the period of time specified in the notice.

(3) Where a written notice under subsection (1)(a) did not contain all of the information required under clause (d) or (e) of Schedule 1, that information must be available at least 14 days before any works are carried out, and must be provided to the Director by the owner, if requested under section 14(4).

Notice Where the Works are not Completed Within Time Period

4(1) Where notice is provided in accordance with section 4(1) of the *Water (Ministerial) Regulation* and section 3(1)(a) of this Code of Practice, and the works have not been commenced or completed within the time period specified in the notice, the notice is no longer valid, and an owner must provide a new notice prior to carrying out the works.

(2) The new notice under subsection (1) must provide

(a) with respect to a Type 1 crossing, Type 2 crossing, Type 3 crossing or Type 4 crossing that are not temporary crossings,

(i) the new date for the commencement or continuation of the works,

(ii) the estimated duration of time that activities related to the works will occur in a water body, in accordance with clause (g) of Schedule 1,

(iii) any information that has changed from the information provided in the notice under section 3(1)(a), and

(iv) in cases where the works has commenced but has not been completed by the time period stated in the notice under section 3(1)(a), the new expected completion date of the works; and

(b) with respect to a temporary crossing,

(i) the new date for the commencement or continuation of the works,

(ii) the estimated date of removal of the temporary crossing, and

(iii) any information that has changed from the information provided in the notice under section 3(1)(a).

Non- Application of this Code of Practice

5 For greater certainty, sections 6 through 15 and the Schedules of this Code of Practice do not apply to forestry temporary crossings.

Emergency

6(1) Where there is an emergency and it is not possible for an owner to provide notice in accordance with section 3(1)(a), an owner may take appropriate measures to deal with the emergency and must notify the Director of the emergency within 24 hours of becoming aware of the emergency.

(2) Notice under subsection (1) must contain the information specified in clauses (a) and (b) of Schedule 1, the legal description of the land on which the watercourse crossing is located, and any other information regarding the nature of the emergency that is available to the owner at the time.

(3) Within 30 days of completion of the works required to deal with the emergency, the owner must provide the following information to the Director:

(a) information specified under clause (c) in Schedule 1, other than the legal description of the land,

(b) a description of the conditions, if applicable, that were used in carrying out the works,

(c) a description of measures taken to meet the applicable requirements of sections 9 and 10, Part 1 of Schedule 2 and Schedule 3, including a statement whether the works incorporated the specifications and recommendations of a qualified aquatic environment specialist.

Plans

7(1) At least 14 days before a works is carried out, except for those works with respect to a temporary crossing, an owner must have prepared and completed a plan for the works

(a) that meets the standards for carrying out a works specified in Part 1 of Schedule 2;

(b) that contains or incorporates the information and written specifications under Part 2 of Schedule 2, as required under subsection (2),

(i) that are prepared by either a professional engineer or an engineering technical specialist, whichever is considered appropriate by the owner, and that contain the stamp, certification and signature of either the professional engineer or the certification and signature of the engineering technical specialist, as required under section 12(2)(a) and (b); or

(ii) that are prepared by an owner in those situations specified in subsection (2), and that contain the confirmation of the owner as required under section 12(2)(c);

(c) that, in addition to the requirements specified under clauses (a) and (b), contains or incorporates the following:

(i) the type of watercourse crossing and the conditions for carrying out a works, determined in accordance with section 9 and Schedule 3, including any applicable written specifications and recommendations of a qualified aquatic environment specialist;

(ii) an outline of the contingency measures to be taken in the event of potential problems resulting from adverse conditions or delays in carrying out or completing the works, and that take into account any restricted activity periods; and

(iii) in addition to any monitoring measures contained in the written specifications and recommendations of a professional engineer, engineering technical specialist, owner or qualified aquatic environment specialist, specification of the monitoring measures that will, during the anticipated life of the watercourse crossing, be required to meet the requirements of this Code of Practice.

(2) Information and written specifications that must be included in a plan under subsection (1)(b)

(a) must be prepared by either a professional engineer or an engineering technical specialist, whichever is considered appropriate by the owner, except as specified in clause (b);

(b) may be prepared by the owner only in those situations where

(i) the watercourse crossing is to be removed, or

(ii) where

(A) the watercourse crossing is or will be located in an unmapped water body that enters any class of mapped water body, at a distance of greater than 2 kilometres upstream from the mouth of the unmapped water body, and

(B) there is no documented evidence of fish presence in the unmapped water body.

(3) In addition to complying with other requirements specified in this Code of Practice, an owner and a person who carries out a works must comply with the plan prepared for the works under subsection (1) except where measures must be taken to deal with an emergency.

(4) Notwithstanding subsection (1), after notice to the Director has been provided in accordance with section 3(1)(a), an owner

(a) may change a plan only where the change complies with this Code of Practice, and

(b) must provide notice of the change to the Director in accordance with section 3(1)(a) and Schedule 1, where the change in the plan modifies the information that was provided to the Director under section 3(2) or 3(3).

(5) Where a change is made to a plan under subsection (4), all of the provisions of this Code of Practice apply to the change.

Maps and Class of Water Bodies

8(1) For the purposes of this Code of Practice, a map that is listed in Schedule 5 forms part of this Code of Practice, and

(a) designates the class of a mapped water body as Class A, B, C, or D,

(b) specifies the restricted activity period for classes of water bodies,

(c) describes the location of Class A and B water bodies, and

(d) may specify special conditions for some water bodies.

(2) The class of a mapped water body, except for an uncoded water body, is the class that is designated by a class symbol on a map.

(3) The class of an uncoded water body is as follows:

(a) Class D, unless otherwise specified in clause (b);

(b) where an uncoded water body enters a mapped water body that is a Class A, B or C water body, the portion of the uncoded water body for a distance of 2 kilometres upstream from the mouth of the uncoded water body is the same class as the mapped water body that is entered.

(4) The class of an unmapped water body is as follows:

(a) where an unmapped water body enters a mapped Class A water body, the unmapped water body is

(i) Class A for the portion of the unmapped water body for a distance of 2 kilometres upstream from the mouth of the unmapped water body, including where the unmapped water body is dry or frozen to the bottom at the time of the works, and

(ii) Class B for any other portion of the unmapped water body;

(b) where an unmapped water body enters a mapped Class B water body, the unmapped water body is

(i) Class B for the portion of the unmapped water body for a distance of 2 kilometres upstream from the mouth of the unmapped water body, including where the unmapped water body is dry or frozen to the bottom at the time of the works, and

(ii) Class C for any other portion of the unmapped water body;

(c) where an unmapped water body enters a mapped Class C water body, the unmapped water body is Class C for all portions of the unmapped water body;

(d) where an unmapped water body enters a mapped Class D water body, the unmapped water body is Class D for all portions of the unmapped water body;

(e) where an unmapped water body enters a fish bearing lake, the unmapped water body is Class C, whether or not the fish bearing lake appears on a map.

Watercourse Crossing Types, Except Temporary Crossings

9(1) A new watercourse crossing must be constructed in accordance with the applicable parts of section 11 and Schedules 2 and 3, and the written specifications and recommendations of a qualified aquatic environment specialist if required under subsections (5) and (6), and the type of new watercourse crossing that must be constructed is as follows:

(a) in or over a Class A water body, only a Type 1 crossing for pedestrian and equestrian purposes;

(b) in or over a mapped Class B water body, in order of preference:

(i) a Type 1 crossing, or

(ii) a Type 2 crossing, by isolating the location of the construction, only if

(A) a Type 1 crossing cannot be used, or

(B) a Type 2 crossing will meet the requirements of clause (a) in Part 1 of Schedule 2,

as determined in accordance with subsection (6);

(c) in or over an unmapped Class B water body, in order of preference:

(i) a Type 1 crossing,

(ii) a Type 2 crossing, by isolating the location of the construction, only if

(A) a Type 1 crossing cannot be used, or

(B) a Type 2 crossing will meet the requirements of clause (a) in Part 1 of Schedule 2,

as determined in accordance with subsection (6); or

(iii) a Type 3 crossing, by isolating the location of the construction, only if

(A) a Type 2 crossing cannot be used, or

(B) a Type 3 crossing will meet the requirements of clause (a) in Part 1 of Schedule 2,

as determined in accordance with subsection (6);

(d) in or over a Class C water body, in order of preference:

(i) a Type 1 crossing,

(ii) a Type 2 crossing, by isolating the location of the construction, only if

(A) a Type 1 crossing cannot be used, or

(B) a Type 2 crossing will meet the requirements of clause (a) in Part 1 of Schedule 2,

as determined in accordance with subsection (6); or

(iii) a Type 3 crossing, by isolating the location of the construction, or a Type 4 crossing, only if

(A) a Type 2 crossing cannot be used, or

(B) a Type 3 crossing or Type 4 crossing will meet the requirements of clause (a) in Part 1 of Schedule 2,

as determined in accordance with subsection (6);

(e) in or over a Class D water body, a Type 1 crossing, Type 2 crossing, Type 3 crossing, or Type 4 crossing.

(2) The replacement of any type of existing watercourse crossing must be constructed in accordance with the applicable parts of section 11 and Schedules 2 and 3, and the written specifications and recommendations of a qualified aquatic environment specialist if required under subsections (5) and (6), and the type of watercourse crossing for the replacement that must be constructed, in order of preference, is as follows:

(a) in or over a Class A water body,

(i) a Type 1 crossing, or

(ii) a Type 2 crossing, by isolating the location of the construction;

(b) in or over a mapped Class B water body,

(i) a Type 1 crossing, or

(ii) a Type 2 crossing, by isolating the location of the construction;

(c) in or over an unmapped Class B water body,

(i) a Type 1 crossing,

(ii) a Type 2 crossing, by isolating the location of the construction, or

(iii) a Type 3 crossing, by isolating the location of the construction;

(d) in or over a Class C water body,

(i) a Type 1 crossing, or

(ii) a Type 2 crossing or Type 3 crossing, by isolating the location of the construction, or a Type 4 crossing;

(e) in or over a Class D water body, a Type 1 crossing, Type 2 crossing, Type 3 crossing or Type 4 crossing.

(3) The maintenance or removal of any type of existing watercourse crossing must be carried out as follows:

(a) with respect to a Class A, B and C water body, by isolating the location of the construction, and in accordance with the applicable parts of section 11 and Schedules 2 and 3;

(b) with respect to a Class D water body, in accordance with the applicable parts of section 11 and Schedules 2 and 3.

(4) Notwithstanding subsections (1), (2) and (3), where a water body is dry or frozen to the bottom at the time of the carrying out of the works, including the construction, replacement, removal, or maintenance of a watercourse crossing, the requirement to isolate the location of the construction or works does not have to be met.

(5) An owner must obtain the written specifications and recommendations of a qualified aquatic environment specialist for watercourse crossings referred to in

(a) subsections (1)(b)(ii), (1)(c)(ii), (1)(c)(iii), (1)(d)(ii), and (1)(d)(iii);

(b) subsection (2), except subsection (2)(e) or where there is replacement of a Type 1 crossing with a Type 1 crossing; and

(c) subsection (3)(a).

(6) For the purposes of subsection (1),

(a) a professional engineer, engineering technical specialist or other qualified person must determine whether a type of crossing can be used, taking into account the technical or environmental feasibility of the type of crossing;

(b) a qualified aquatic environment specialist must determine whether a type of crossing will meet the requirements of clause (a) in Part 1 of Schedule 2.

(7) A qualified aquatic environment specialist must

(a) consider any applicable restricted activity periods; and

(b) meet the requirements of clauses (a) and (g) in Part 1 of Schedule 2 and of Schedule 4;

in preparing any written specifications and recommendations under this section.

(8) This section does not apply to temporary crossings.

Temporary Crossings

10(1) Subject to subsection (2), a temporary crossing must be constructed in accordance with the applicable parts of Schedules 2 and 3 and the written specifications and recommendations of a qualified aquatic environment specialist if required under subsection (2), and the type of temporary crossing that must be constructed is as follows:

(a) in or over a Class A water body, at any time,

(i) a Type 1 crossing, or

(ii) a Type 2 crossing where the construction is in conjunction with the replacement or maintenance of an existing watercourse crossing or other existing structure;

(b) in or over a Class B water body,

(i) a Type 1 crossing, at any time,

(ii) a Type 2 crossing, at any time,

(iii) a Type 4 crossing, only

(A) when the water body is dry, or

(B) when the crossing site is not covered by ice, or

(iv) a Type 5 crossing, only when the water body is dry or frozen to the bottom, or there is sufficient ice-cover to support the crossing, however the crossing must be removed before spring break-up;

(c) in or over a Class C water body,

(i) a Type 1 crossing, at any time,

(ii) a Type 2 crossing, at any time,

(iii) a Type 3 crossing, only

(A) when the water body is dry, or

(B) when the crossing site is not covered by ice, by isolating the location of the construction,

(iv) a Type 4 crossing, only

(A) when the water body is dry, or

(B) when the crossing site is not covered by ice, or

(v) a Type 5 crossing, only

(A) when the water body is dry or frozen to the bottom, or

(B) when there is sufficient ice-cover to support the crossing, however the crossing must be removed before spring break-up;

(d) in or over a Class D water body,

(i) a Type 1 crossing, Type 2 crossing, Type 3 crossing or Type 4 crossing, at any time, or

(ii) a Type 5 crossing, only

(A) when the water body is dry or frozen to the bottom, or

(B) when there is sufficient ice-cover to support the crossing, however the crossing must be removed before spring break-up.

(2) An owner must obtain the written specifications and recommendations of a qualified aquatic environment specialist for a temporary crossing referred to in subsections (1)(a)(ii), (1)(b)(ii), (1)(b)(iii)(B), (1)(c)(ii), (1)(c)(iii)(B), and (1)(c)(iv)(B).

(3) A qualified aquatic environment specialist must meet the requirements of clauses (a) and (g) in Part 1 of Schedule 2 and of Schedule 4, in preparing any written specifications and recommendations under this section.

(4) An owner

(a) must remove a temporary crossing

(i) no later than 6 months from the date when the construction commenced, unless otherwise specified in writing by the Director; and

(ii) in accordance with the applicable parts of Schedules 2 and 3; and

(b) must restore the bed and banks of the water body to the condition it was in prior to the construction of the temporary crossing, or if not possible, to a condition that meets the requirements of clauses (a) and (g) of Part 1 of Schedule 2.

(5) Sections 7, 9, 11(1), 11(2), 11(3), 11(4), 11(5), 11(6), 11(7), 12, 14 and 15 of this Code of Practice do not apply to a temporary crossing.

Restricted Activity Periods

11(1) Unless otherwise authorized under this section, works, including those referred to in section 9, must not be carried out within any applicable restricted activity period.

(2) Works

(a) must be carried out in or over a mapped Class A water body, within the time period recommended by a qualified aquatic environment specialist;

(b) must be carried out for a Type 2 crossing, Type 3 crossing and Type 4 crossing in or over a mapped Class B and C water body, outside the restricted activity period specified on the applicable map;

(c) may be carried out in or over a Class D water body, at any time.

(3) Where an unmapped water body enters a mapped Class A water body,

(a) the works must be carried out within the period recommended by a qualified aquatic environment specialist for the portion of the unmapped water body for a distance of 2 kilometres upstream from the mouth of the unmapped water body;

(b) for any other portion of the unmapped water body than that specified in clause (a),

(i) the unmapped water body has the restricted activity period of the nearest mapped Class B or C water body entering the mapped Class A water body, or

(ii) if there is no mapped water body entering the mapped Class A water body, the unmapped water body has the restricted activity period for the mapped Class B or C water body that is immediately downstream of the mapped Class A water body.

(4) Where an unmapped water body enters a mapped Class B water body, the restricted activity period is the restricted activity period for the mapped Class B water body.

(5) Where an unmapped water body enters a mapped Class C water body,

(a) the restricted activity period for the portion of the unmapped water body for a distance of 2 kilometres upstream from the mouth of the unmapped water body, is the restricted activity period for the mapped Class C water body, and

(b) for any other portion of the unmapped water body than that specified in clause (a), the restricted activity period is the restricted activity period of the nearest mapped water body that enters the mapped Class C water body.

(6) Where an unmapped water body enters a fish bearing lake, whether or not the fish bearing lake appears on a map, the restricted activity period for the unmapped water body

(a) is the same as that specified for the nearest mapped water body entering the fish bearing lake,

(b) if there is no mapped water body entering the fish bearing lake, is the same as that specified for the mapped outlet water body of the fish bearing lake, or

(c) if there is no mapped outlet water body of the fish bearing lake, is the same as that specified for the nearest mapped water body that is designated as a mapped Class C water body.

(7) Where a qualified aquatic environment specialist determines that a works can be carried out within a restricted activity period referred to under subsections (2)(b), (3)(b), (4), (5) and (6), and still meet the requirements of Part 1 of Schedule 2, the works may be carried out within that restricted activity period, and must be carried out in accordance with the written specifications and recommendations of the qualified aquatic environment specialist.

(8) A qualified aquatic environment specialist must consider an applicable restricted activity period in preparing any written specifications and recommendations under this Code of Practice.

Certification and Confirmation

12(1) Where a qualified aquatic environment specialist has prepared specifications and recommendations under this Code of Practice, the qualified aquatic environment specialist must certify in writing that the written specifications and recommendations prepared by the specialist meet the requirements of clause (a) in Part 1 of Schedule 2.

(2) Where written specifications for a plan for a works associated with a watercourse crossing under section 7(1)(b),

(a) were prepared by a professional engineer, the engineer must certify in writing that the written specifications included in the plan meet the standards specified in clauses (c) and (d) in Part 1 of Schedule 2, and the design drawings must include the stamp and signature of the professional engineer;

(b) were prepared by an engineering technical specialist, the engineering technical specialist must certify in writing that the information and written specifications included in the plan meet the standards specified in clauses (c) and (d) of Part 1 of Schedule 2;

(c) were prepared by an owner, the owner must confirm in writing that the information and written specifications included in the plan meet the standards specified in Part 1 of Schedule 2.

(3) All certifications and confirmations referred to under subsections (1) and (2) must be prepared a minimum of 14 days before the works is carried out.

(4) After the works has been completed, an owner must within one year of the date of completion of the works, confirm in writing that

(a) the plan prepared under section 7 was followed in carrying out the works, and

(b) the standards of Part 1 of Schedule 2 have been met.

Reporting

13(1) An owner must, within 24 hours, report to the Director by telephone, facsimile or e-mail, or in any other manner specified in writing by the Director, a contravention of this Code of Practice, except for a contravention under section 12, 14 or 15, and must include information relating to possible environmental impacts resulting from the contravention and initial actions taken to mitigate the contravention.

(2) An owner must, within 7 calendar days of reporting a contravention under subsection (1), or within another time period specified in writing by the Director, provide to the Director a written report that contains the following information:

(a) a description of the contravention;

(b) an explanation as to why the contravention occurred;

(c) a summary of all preventative measures and actions that were taken prior to the contravention;

(d) a summary of all measures that were taken to mitigate the initial damage and proposed measures to address any remaining problems related to the contravention;

(e) the names, addresses, phone numbers and responsibilities of all persons responsible for carrying out the works at the time that the contravention occurred; and

(f) proposed preventative measures designed to prevent future contraventions.

Record Keeping and Information Availability

14(1) An owner must compile and retain the following records within the time period specified in subsection (2);

(a) the names, addresses and phone numbers of the owners of the watercourse crossing;

(b) a copy of the plan prepared for the watercourse crossing;

(c) any as built plans or as constructed plans, if such as built or as constructed plans were prepared;

(d) the time period during which the carrying out of the works occurred, including the start and completion dates;

(e) all photographs or video-recordings taken under section 15(2);

(f) a copy of all certifications and confirmations referred to in section 12.

(2) An owner must meet the following time requirements for the preparation or compilation of the records specified in subsection (1), unless otherwise specified in writing by the Director:

(a) a plan under section 7 must be available at least 14 days before the works are carried out;

(b) for records referred to in subsection (1)(a), (c), (d) and (e), records must be compiled within 3 months of completion of the works or within another time period specified by the Director;

(c) for certifications and confirmations referred to in subsection (1)(f), records must be compiled within the time periods specified in section 12.

(3) An owner must retain all records referred to in subsection (1) for one year after the completion of the removal of the watercourse crossing.

(4) An owner must, within the time period specified in writing by the Director, provide to the Director any requested information or records retained under subsection (1), or information relating to a qualified aquatic environment specialist who has certified specifications and recommendations.

Monitoring of Works

15(1) The owner must monitor a watercourse crossing in accordance with the plan prepared under section 7 to ensure that the requirements of this Code of Practice are met over the operational life span of the crossing.

(2) The owner must, for water bodies that are designated as Class A, B or C water bodies, take the following photographs or video-recordings at a watercourse crossing site before the works are commenced:

(a) one or more photographs or video-recordings of the water body and its banks upstream from the watercourse crossing site;

(b) one or more photographs or video-recordings of the water body and its banks downstream from the watercourse crossing site; and

(c) two or more photographs or video-recordings of the banks at the watercourse crossing site, one of each bank taken from the opposite bank.

Guidelines

16 The Department may publish Guidelines to assist in the interpretation and implementation of this Code of Practice, however such Guidelines do not form part of this Code of Practice.

Code of Practice Review

17 The Department responsible for administering this Code of Practice will review this Code by March 31, 2023.

SCHEDULE 1
Notice to the Director
(Section 3(1)(a))

Information that must be contained in a notice for the purposes of section 3(1)(a):

(a) the name, address and phone number of at least one owner of the watercourse crossing;

(b) the name and phone number of the person to be contacted with respect to the watercourse crossing;

(c) a map, diagram, or air photo that shows the watercourse crossing location in relation to the boundaries of the quarter section that the crossing is located in, including the legal description of the land and the name of the water body (if named) that is crossed, and the UTM coordinates, if available, on which the watercourse crossing is located;

(d) the type or types of watercourse crossing structures and conditions determined in accordance with sections 9, 10, 11 and Schedule 3 that will be used in carrying out the works, including, where applicable, the rationale for not using the preferred type of watercourse crossing referred to in section 9, and whether physical or other measures are required to meet clause (a) in Part 1 of Schedule 2;

(e) the diameter in centimetres or metres of the culvert, the length of the culvert in metres or the number and length of spans in the bridge, the width of the watercourse crossing in metres and a description of any other structure that is part of the watercourse crossing;

(f) whether the works to be carried out will incorporate the specifications and recommendations prepared by a qualified aquatic environment specialist, and if so, the name of the qualified aquatic environment specialist, and consulting company name, if applicable;

(g) the expected commencement and completion dates of the works, including the estimated duration of time that the works will be carried out in a water body;

(h) for a temporary crossing,

(i) the type of structure,

(ii) the expected date of removal, and

(iii) whether a qualified aquatic environment specialist will provide written specifications and recommendations, and if so, the name of the qualified aquatic environment specialist, and consulting company name, if applicable.

SCHEDULE 2
Plans
(Section 7)

PART 1
STANDARDS FOR CARRYING OUT A WORKS

Standards that must be met for carrying out a works for the purposes of this Code of Practice:

(a) Upon completion of the works, the quantity and productive capacity of the aquatic environment, including fish habitat, at the watercourse crossing site, where technically feasible, and adjacent to the watercourse crossing site must be equivalent to or exceed that which existed prior to commencing the works;

(b) The selection of a watercourse crossing site must:

(i) avoid, or if not possible,

(A) minimize disturbance of the bed and banks of the water body or

(B) minimize realignment of the water body,

(ii) avoid, if possible, high gradient areas, unstable slopes and actively eroding banks, and bank seeps or springs;

(c) The capacity of any culverts and bridges in a watercourse crossing must ensure that:

(i) the increase in any back-flooding does not result in flood damage to private and public property,

(ii) the bed, pier or abutment scour will not endanger the stability of the works or alter the location of all or part of the water body,

(iii) enough freeboard is provided to pass floating debris and ice without affecting the stability of the watercourse crossing or creating a potential for a blockage of the flow of the water body, and

(iv) fish migration through or over the crossing is maintained by ensuring that, at a minimum, water velocities over or through the crossing do not create a barrier to migrating fish for more than 3 consecutive days at a 1 in 10 year recurrence interval;

(d) Works with respect to a watercourse crossing must be carried out in a manner,

(i) that protects the bed and bank adjacent to the bridge or culvert structure from bed scour and erosion,

(ii) that maintains or approximates the existing slope of the bed of the water body,

(iii) that, where applicable, results in the placement of a culvert at or below the level of the water body bed;

(e) Measures must be implemented to avoid, or if not possible, minimize impairment of water quality of the water body;

(f) Measures must be implemented to avoid harm to or destruction of fish and fish eggs, and the harmful alteration, disruption or destruction of fish habitat, including but not limited to fish spawning and nursery areas;

(g) Upstream and downstream fish migrations must not be impeded over the life span of the watercourse crossing, following completion of the works;

(h) The flow of the water body must be maintained at the watercourse crossing site at all times through or around the crossing;

(i) Measures must be implemented to minimize the duration and amount of disturbance of the bed and banks of the water body;

(j) Measures must be implemented to prevent the deposition into the water body of deleterious substances and materials that are toxic to fish and other aquatic organisms;

(k) Measures must be implemented to prevent the transfer of biota that is not indigenous to the environment at the watercourse crossing site;

(l) Measures must be implemented to prevent erosion and sedimentation into the water body, including temporary erosion control measures;

(m) Measures must be implemented to permanently stabilize all disturbed areas on the watercourse crossing site sloping to the water body within one full growing season;

(n) Debris disposal, cleanup and initial stabilization must be carried out as part of the works.

PART 2
REQUIREMENTS FOR INFORMATION AND WRITTEN SPECIFICATIONS FOR PLANS OF WORKS, FROM OWNER, PROFESSIONAL ENGINEER OR ENGINEERING TECHNICAL SPECIALIST

Written specifications that must be provided under section 7(1) must

(a) meet the standards for carrying out a works specified in Part 1 of this Schedule;

(b) incorporate any written specifications and recommendations prepared by a qualified aquatic environment specialist for the works; and

(c) include the design specifications of the works and other information related to the works, including:

(i) information on a page which is a minimum size of 21 centimetres by 27 centimetres, in a suitable format and scale, and that includes:

(A) a map, diagram, or air photo that shows the location of the works in relation to the boundaries of the quarter section that the watercourse crossing will be located in, the legal description of the land, and UTM coordinates, if available, on which the watercourse crossing is located,

(B) the name of the water body that is crossed if known,

(C) the diameter of the culvert or the number of spans in a bridge or a description of any other structure or causeway to be used as part of the watercourse crossing,

(D) piers, abutments and other features that are part of the watercourse crossing, shown through the width of the active floodplain of the water body,

(E) the length in metres of the bridge or culvert in metres that is part of the watercourse crossing and the height of crossing measured from stream bed to the top of the crossing,

(F) all surveyed and unsurveyed profile and cross-sectional drawings required for the design;

(ii) any hydraulic, hydrologic, or hydrogeologic analysis performed for the design of the works; and

(iii) a description of any other specifications for the works that the owner or professional engineer or engineering technical specialist considers appropriate.

SCHEDULE 3
Conditions for Carrying Out a Works
(Sections 9 and 10)

In addition to the requirements regarding watercourse crossing structures and conditions specified in sections 9, 10 and 11 of this Code of Practice, the following conditions must be met in carrying out a works:

PART 1
GENERAL CONDITIONS (Apply to all Watercourse Crossings, Except Type 1 Crossings)

(a) Subject to clauses (c) and (g) of Part 2, if a water body is flowing, the water body channel must not be constricted by more than two-thirds (2/3) of its width during the carrying out of a works;

(b) Where any excavation of the bed of a water body occurs,

(i) the excavated areas must be backfilled with material that is of the same quality and gradation that was removed, except for the Battle, Vermilion and Beaver Rivers where special conditions apply as specified on the appropriate map;

(ii) where the width of the crossing measured between the banks of the water body is less than 15 metres, all material excavated from the bed or banks of the water body must be removed and stored at a location out of the water body until the materials are removed from the location or backfilled into the water body;

(iii) where the width of the crossing measured between the banks of the water body is equal to or greater than 15 metres, and it is necessary to stockpile the material excavated from the bed in the water body, the material must be stockpiled in a manner that avoids areas of highest water velocity, and does not windrow the material across the channel perpendicular to the flow of water;

(c) Where isolating the location of a works,

(i) the isolation must be carried out in a manner that isolates the location of the works from the flowing water in the water body, and eliminates the flow of surface water through the construction site;

(ii) any berms, coffer dams or other isolation structures used in a works within a flowing watercourse are to be

(A) constructed of non-erodable material or protected from erosion for the entire period of time the berm, coffer dam or isolation structure will be in place, and

(B) removed completely upon completion of the works;

(iii) in cases where the entire flow of water of a water body is diverted around the watercourse crossing site, it must be returned to the water body downstream of the crossing site;

(iv) where ice is present on a water body, any diverted water must be returned to the water body downstream of the watercourse crossing site, under the ice if ice is present;

(v) silt fences may be used in situations where there is low flow in a water body, where appropriate, to isolate the construction area from the water body;

(vi) during the carrying out of the works, any fish that are found within the isolated portion of the watercourse crossing site are to be removed, without harm to or destruction of the fish, to an area of the water body immediately adjacent to the watercourse crossing, outside the isolated portion of the watercourse crossing site;

(vii) during a restricted activity period, when fish are spawning or migrating, an isolation method that blocks the entire width of a water body must not be in place for longer than 3 consecutive days, unless upstream and downstream fish migration is accommodated;

(viii) during a period of time outside a restricted activity period, an isolation method must not be in place for longer than 14 consecutive days unless upstream and downstream fish migration is accommodated;

(ix) any water entering an intake of a bypass pumping system must pass through a screen with openings that are no larger than 2.54 millimetres and at a velocity that does not result in the entrainment and entrapment of fish or fish fry;

(x) any accumulations of silt and sediment within the isolation area resulting from the works in the isolation area must be removed to an upland site prior to restoration of water flow through the isolation site;

(xi) any water removed from an isolation area, must be discharged in a manner that ensures suspended sediments are not introduced into a water body.

PART 2
WATERCOURSE CROSSING CONDITIONS (Except Temporary Crossings)

A. TYPE 1 CROSSINGS

Where a Type 1 crossing is used, no alteration of the active channel of a water body is allowed except for minor disturbances associated with the construction of a watercourse crossing.

B. TYPE 2 CROSSINGS

Where a Type 2 crossing is used, the width of the active channel must not be significantly narrowed.

C. TYPE 4 CROSSINGS

Where a Type 4 crossing is used, and where granular material or rock is used for fill and hardening of the bed of the water body at the watercourse crossing site, it must be clean and without silt or other fine materials.

PART 3
TEMPORARY CROSSING CONDITIONS

A. TYPE 1 CROSSINGS

For single span bridges that are temporary crossings constructed of native timber,

(a) logs used in the construction must be delimbed;

(b) except where fill material is ice or snow, fill material placed on the bridge deck must be held in place and separated from the deck by a geotextile fabric or natural mat that is impermeable to soil movement;

(c) removal of the fill material and mat must precede removal of the bridge structure.

B. TYPE 2 CROSSINGS

All temporary crossings that are Type 2 crossings must be an appropriate size and constructed in a manner to accommodate the flows of the water body that are expected during the period of use so that any back-flooding does not result in damage to public and private land and property.

C. TYPE 3 CROSSINGS

All temporary crossings that are Type 3 crossings must

(a) be an appropriate size and constructed in a manner to accommodate flows expected during the period of use so that any back-flooding does not result in damage to public and private land and property; and

(b) ensure fish passage is maintained.

D. TYPE 4 CROSSINGS

Where a Type 4 crossing is used, and where granular material or rock is used for fill and hardening of the bed of the water body at the watercourse crossing site, it must be clean and without silt or other fine materials.

E. TYPE 5 CROSSINGS

Where a Type 5 crossing is used:

(a) logs used in constructing the crossing must be delimbed and bucked to at least 1.5 metres longer than the width of the grade fill on each end of the crossing structure;

(b) except where fill material is ice or snow, fill material placed on top of the temporary crossing must be held in place and separated from the deck by a geotextile fabric or natural mat that is impermeable to soil movement;

(c) removal of the fill material and mat must precede removal of the logs;

(d) the bed and banks of the water body must not be altered or disturbed, except for minor disturbances associated with the construction;

(e) it must be constructed in a manner to prevent over-ice flooding caused by the ice being pushed to the bottom of the water body.

SCHEDULE 4

Qualified Aquatic Environment Specialist's Written Specifications and Recommendations

1(1) The written specifications and recommendations of a qualified aquatic environment specialist referred to under this Code of Practice must include:

(a) specifications and recommendations on measures required to meet the requirements of clause (a), (f) and (g) in Part 1 of Schedule 2 of this Code of Practice;

(b) a copy of information gathered and assessments made by the qualified aquatic environment specialist regarding the aquatic environment, including fish populations and habitat, in preparing the specifications and recommendations, including but not limited to:

(i) a list of all existing information, published and unpublished reports reviewed,

(ii) any new information gathered through field assessments, and

(iii) any reports prepared by the qualified aquatic environment specialist;

(c) the crossing location, including the legal description, and the UTM coordinates;

(d) a summary of physical and biological data pertaining to the water body at the watercourse crossing location including:

(i) all fish species that are present or could be present at any time during the year,

(ii) aquatic species of special concern, including rare, endangered, threatened or vulnerable species,

(iii) a description of existing aquatic and riparian fish habitat,

(iv) a description of the hydrological characteristics of the water body, and

(v) any other relevant information regarding the aquatic environment, including fish populations and habitat;

(e) a description of any field assessment study sites, the methods used during field assessments and dates and times of field assessments;

(f) a description of the anticipated effects of the works on the water body and aquatic environment;

(g) the name and signature of the person or persons responsible for the field assessments and specifications and recommendations.

(2) A field assessment for watercourse crossings must be conducted

(a) where in the opinion of the qualified aquatic environment specialist, the required information does not exist to prepare the written specifications and recommendations in order to meet the requirements of clauses (a), (f) and (g) in Part 1 of Schedule 2, including where

(i) a disruption or alteration of the bed or bank(s) of a Class B or C water body occurs, and when the fish passage requirements for a Type 3 crossing in a fish bearing water body need to be determined;

(ii) works occur or are anticipated to occur in a water body during a period of fish spawning, egg incubation, hatching or early fry development; and

(b) where the replacement or maintenance of an existing watercourse crossing is carried out in or over a Class A water body except where there is a replacement of a Type 1 crossing with a Type 1 crossing.

SCHEDULE 5
Maps

1. Peace River Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

2. Grande Prairie Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

3. High Prairie Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

4. Edson Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

5. Stony Plain Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

6. Pincher Creek Management Area - [2013/05], published by Alberta's Queen's Printer, as amended or replaced from time to time

7. Lethbridge Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

8. Medicine Hat Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

9. Fort McMurray Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

10. Lac La Biche Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

11. St. Paul Management Area - [2013/05], published by Alberta's Queen's Printer, as amended or replaced from time to time

12. Camrose Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

13. Red Deer Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

14. Rocky Mountain House Management Area - [2013/05], published by Alberta's Queen's Printer, as amended or replaced from time to time

15. Calgary Management Area - [2013/05], published by Alberta's Queen's Printer, as amended or replaced from time to time

16. Canmore Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

17. Brooks Management Area - [2006/12], published by Alberta's Queen's Printer, as amended or replaced from time to time

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Infrastructure

Contract Increases Approved Pursuant to Treasury Board Directive 02/2005

Contract: Innisfail - John Wilson School (K-12) Phase 2 Modernization
Contractor: Vectus Inc.
Reason for Increase: As demolition work progressed, additional hazardous materials were discovered on exterior walls insulation. It was necessary for further abatement work to be undertaken in order to complete the final phase of the project.

*Please note that the previous Memorandum Report described the "Amount of Increase" as $2,488,164.00

**This Memorandum Report reflects an actual reduction in the contract value "Amount of Increase" from $2,488,164.00 to $2,440,066.30, or about one percent.

***Reason: Reconciliation of contract allowances as actual total fee for additional abatement work was less than the available funds.
Contract Amount: $8,300,000.00
% Increase: 29%
Amount of Increase: $2,440,066.30

Contract: Ashmont - New K-12 Replacement School
Contractor: United Construction Company Inc.
Reason for Increase: The contract involves construction of a new K-12 school in Ashmont, Alberta. The overrun is a result of having to remove buried concrete structures and debris that were not discovered until the commencement of work. Lobby 1202 Fixture Type Revision, CTS Room Electrical Revisions.
Contract Amount: $22,121,369.00
% Increase: 13%
Amount of Increase: $2,831,527.65

Contract: Two Hills - Two Hills Mennonite Replacement School
Contractor: Jen-Col Construction Ltd.
Reason for Increase: This contract involves the construction of a replacement school in the Town of Two Hills, Alberta, including a new parking lot and demolition of the existing school. This overrun is a result of additional costs arising from unusual site conditions, corresponding design changes, scope increases, escalations and delays.
Contract Amount: $12,455,000.00
% Increase: 117%
Amount of Increase: $14,522,385.22

Contract: Edmonton - Alberta School for the Deaf Modernization
Contractor: Stuart Olson Construction Ltd.
Reason for Increase: This project is being delivered via the Construction Management (CM) methodology. The scope of CM work was not fully defined (at the onset of the project) until the design became developed and additional details became known. The contract increase is the result of necessary structural upgrades, additional hazardous materials abatement, and mechanical/electrical revisions that were required due to conditions that were uncovered during the modernization work.
Contract Amount: $28,000,000.00
% Increase: 58%
Amount of Increase: $16,260,000.00

Contract: Sturgeon Composite High School Modernization
Contractor: Synergy Projects Ltd.
Reason for Increase: Changes to scope, unforeseen site conditions and design revisions.
Contract Amount: $21,665,000.00
% Increase: 24%
Amount of Increase: $5,154,052.95

Contract: Spruce Grove - Woodhaven Middle School - Modular Relocation
Contractor: Rencon Industries Inc.
Reason for Increase: Increased costs for additional hazardous materials remediation, civil works, and mechanical design changes.
Contract Amount: $792,525.00
% Increase: 54%
Amount of Increase: $428,333.39

Contract: Calgary Remand Centre (CRC) - Divide Living Units
Contractor: Everest Construction Management Ltd.
Reason for Increase: The contract increase during 2018-19 Q4 is attributable to the additional work requested by the client. The additional work included the installation of CCTV cameras conduit for future camera installation and other minor changes.
Contract Amount: $4,529,983.00
% Increase: 14%
Amount of Increase: $624,272.32

Contract: Wabasca-Desmarais Provincial Courthouse - Sally-Port Addition & Renovations
Contractor: Fillmore Construction Management Inc.
Reason for Increase: The building's sanitary lines need to be replaced.
Contract Amount: $2,784,000.00
% Increase: 14%
Amount of Increase: $385,288.97

Contract: Modular Courthouses - Fort Vermilion/Red Earth Creek
Contractor: BCT Structures, ULC
Reason for Increase: Site conditions not fully identified in geotechnical report impacted placement of courthouse. This resulted in additional site work and more winter construction of the modular courthouse than originally anticipated.
Contract Amount: $8,537,984.00
% Increase: 10%
Amount of Increase: $866,928.13

Sale or Disposition of Land

(Government Organization Act)

Name of Purchaser: Board of Governors of Portage College
Consideration: $100,600.00
Land Description: Plan 1723261, Block 2, Lot 1. Excepting thereout all mines and minerals. Area: 26.06 hectares (64.4 acres) more or less.

Name of Purchaser: E & N Farm Ventures Inc.
Consideration: $4,879,010.00
Land Description: Descriptive Plan 1721751, Block 1, Lot 21. Excepting thereout all mines and minerals. Area: 4.3 hectares (10.63 acres) more or less.

Justice and Solicitor General

Designation of Qualified Technician Appointment
(Intox EC/IR II)

Royal Canadian Mounted Police, Traffic Services, "K" Division
Bruyere, Alexandre Donald
Cunningham, Stephen Gerald
Di-Loreto, Ryan Domenico
Douglas, Tyson James
Green, Lindon McDonald
Holz, Vanderlei Luis
Horn, Michael Bruce
Koller, Derrick Nelson
Maceachern, Ryan Christopher
Mclaughlin, Falyn Elizabeth
Pepin, Tommy Julien Joseph
Stubbe, Benjamin Isaac
Wight, Jordan Mark

(Date of Designation April 12, 2019)

Office of the Public Trustee
Property being held by the Public Trustee for a period of Ten (10) Years

(Public Trustee Act)
Section 11 (2)(b)

Name of Person Entitled to Property	Description of Property held and its value or estimated value	Property part of deceased person's **Estate or** held under **Court Order:** Deceased's Name Judicial District Court File Number	Public Trustee Office Additional Information
Missing beneficiaries of George King	$148,584.72	KING, George Judicial District of Calgary Court File Number: SES01 088879	C 056062
Missing beneficiaries of Raymond Melbourne Hirtle	$56,236.04	HIRTLE, Raymond Melbourne Judicial District of Calgary Court File Number: SES01 098028	C 058767

Metis Settlements General Council

Code of Conduct and Conflict of Interest

Policy GC-P1808

WHEREAS Metis people have jurisdiction over the management of Metis Settlement lands and the governance of their own affairs, subject to the Metis Settlements Act (the "MSA");

AND WHEREAS the Government of Alberta and the Metis Settlements General Council (and its predecessor entities) have a long history of consultation and cooperation dedicated to achieving the aspirations of the Metis Settlements to provide for the preservation and enhancement of Metis culture and identity, secure a land base for future generations, attain culturally appropriate self-governance institutions under the laws of Alberta, and achieve economic self-sufficiency;

AND WHEREAS the Metis Settlements have the responsibility for governance and management of Metis Settlements, including establishing a code of conduct to guide the conduct of Settlement Councillors pursuant to s. 222(1)((bb.1)(i) of the MSA;

AND WHEREAS each Metis Settlement has adopted its own local customs and systems of local governance which should be respected, subject to the MSA and GC Policies;

THEREFORE, this General Council policy is adopted to improve the openness, transparency and accountability of the Metis Settlements.

SECTION 1 – CONTEXT

Background
1. The *MSA* enables Metis Settlements to attain culturally appropriate self-government and achieve economic self-sufficiency. The pursuit of these objects should encourage Elected Officials to conduct themselves to the highest standards when dealing with one another and Settlement members during their term of office.

Purpose
2. This Policy enables Settlement Councils to pass bylaws establishing a Code of Conduct consistent with this Policy.

3. This Code of Conduct is expected to enable Elected Officials to:
- (a) foster consensus by establishing common standards of shared accountability and good conduct in carrying out their Official Duties and by providing the means by which concerns related to conduct may be addressed;
- (b) reinforce confidence in the ethical behaviour of each Elected Official, Settlement Council and Metis Settlements General Council;
- (c) perform their public duties, including any representations on social media, in a manner that reflects positively on the governance institutions of the Metis Settlements by promoting accountability, openness, respectful engagement and transparency; and

(d) perform their official duties and functions in a manner that bears the closest public scrutiny, an obligation that may not be fully discharged by simply acting within the law.

Definitions
4. In this Policy:

Associate means
- (a) a partnership in which the Elected Official is a partner;
- (b) a corporation in which the Elected Official holds 25% percent or more of the issued voting shares, or of which the Elected Official is a director; or
- (c) an employee of the Elected Official.

Chair means the chief Elected Official and spokesperson of the Metis Settlement and/or the person chairing a Settlement Council or General Council meeting.

Confidential information, including verbal information means information that:
- (a) is in the possession of an Elected Official, Settlement or General Council but that either the Settlement or General Council is prohibited from disclosing, is required to refuse to disclose, or exercises its discretion to refuse to disclose under the *Freedom of Information and Protection of Privacy Act*;
- (b) concerns matter that is permitted to be discussed only in an *in camera* meeting pursuant to Section 47.1(d) of the *MSA*; or
- (c) contains technical, commercial or other proprietary information, including traditional ecological knowledge, the release of which could prejudice or be damaging to the Settlement, Metis Settlements General Council or any other person[1].

Conflict of interest means a situation in which an Elected Official cannot make a fair decision, or it may reasonably appear they cannot make a fair decision, because the Elected Official, their Family Member, or Associate will be affected by the result.

Elected Official means a Settlement Chair, Settlement Councillor or Executive Officer of the General Council.

Executive Officer means one of the elected members of the General Council Executive Committee, namely, the President, Vice-President, Treasurer and Elected Secretary.

Family member, when used in connection with an Elected Official, means a spouse, father, mother, brother, sister or child of the Elected Official.

Financial Interest means, in respect of Settlement Councillors a financial interest as determined under the Financial Interest Policy, GC-P9808. An

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[1] For clarity, this is not intended to prohibit the disclosure of traditional ecological knowledge information to the Government of Alberta or the Government of Canada for the purposes of Crown consultation.

Executive Officer of the General Council has a financial interest in a matter before the Assembly if he or she can reasonably be expected to know that a decision on the matter could cause the Executive Officer or a Family Member to gain or lose money.

Land Interest means an interest relating to land in a decision which is made by a Settlement Council under Part 4 of the MSA, the Land Policy [GC 9201], or other applicable GC policies or regulations as amended from time to time.

Membership Interest means an interest relating to settlement membership decision made by a Settlement Council under Part 3 of the MSA, or an applicable GC policy or regulation as amended from time to time.

Official Duty: means when present at a Settlement Council meeting, General Council Meeting, a board meeting, a meeting with representatives from the Federal, Provincial or Municipal levels of government, or at any other time when the Elected Official may be required to participate in decision making or representation of the Settlements in a work-like setting.

Spouse of a person means an individual who is married to the person, or lives with the person as husband or wife outside marriage, and is not living apart from the person under a written separation agreement or court order.

All other terms defined in the *MSA*, or in regulations under it, have the same meaning when used in this Policy, unless the context makes such an interpretation unreasonable.

Footnotes
Footnotes are part of the Policy included to help with interpretation.

SECTION 2 – CODE OF CONDUCT FOR ELECTED OFFICIALS

Ethical standards
5. To maintain public confidence in the Settlement Councils and the General Council, Elected Officials must refrain from personal or professional conduct that brings discredit to the Settlement Councils or General Council, including on social media.

Care and well-being
6. Elected Officials are responsible to promote the health, safety and welfare of Settlement members by providing good government, essential services and programs that advance the common good and that preserve and enhance Metis culture and identity.

Letter and spirit of the law
7. In carrying out their Official Duties, Elected Officials shall uphold both the letter and the spirit of the laws enacted by the Government of Canada and the Province of Alberta, court rulings, and the policies and bylaws of a Settlement Council and the General Council.

Represent the position of Council
8. Elected Officials shall represent the official policies and positions adopted by a resolution of a Settlement Council or the General Council.

Impartiality and preparedness
9. Elected Officials shall ensure they are adequately informed about issues brought before them, listen attentively to discussion, and make decisions in a fair and impartial manner based upon an objective analysis of the facts of the issue under discussion. Elected Officials shall not permit personal bias, prejudice or any matter amounting to a Conflict of Interest to affect their decisions.

Stewardship
10. Elected Officials are stewards of Settlement resources including, but not limited to, financial, human and information resources, land, water, air, fish, wildlife and plants. They are responsible to secure the interests of the Settlement and its members over the long term to advance culturally appropriate self-government and economic self-sufficiency.

Metis culture
11. Alberta's Metis Settlements, previously Metis colonies, were first created by the Province of Alberta in 1938 under the *Metis Population Betterment Act*. Their creation was affirmed in the *Metis Settlements Accord Implementation Act, Constitution of Alberta Amendment Act, 1990*, *Metis Settlements Land Protection Act* and the *MSA* with the explicit commitment to enshrine a land base to provide for the preservation and enhancement of Metis culture, identity and self-governance. Elected Officials are expected to ensure their decisions align with and promote the preservation and enhancement of Metis culture and the security of the Metis Settlements land base.

Impairment
12. Elected Officials shall ensure they are free of the influence of intoxicants at all times that they are performing Official Duties.

Insider information
13. Elected Officials shall not use or communicate Confidential Information that was gained by the Elected Official in the course of carrying out his or her office or powers to further or seek to further his or her Financial Interest, or the Financial Interest of a Family Member or Associate.

Enabling Provisions
14. Settlement Councils may pass a by-law which establishes a more detailed Code of Conduct to govern the conduct of councilors that includes, without limitations rules
- (a) of procedure to identify and address Conflict of Interest;
- (b) governing the requirements to prepare for, attend and participate in Settlement Council and General Council meetings;
- (c) governing *in camera* discussions;
- (d) governing allowable expenses for attendance at General Council meetings or other Official Duties, including the power to require reimbursement by the Councillor to the Settlement Council in the event of breach of the by-law;
- (e) governing the acceptance of gifts or other benefits;
- (f) governing the procedure for Settlement Council meetings; and
- (g) establishing an Oath of Office.

15. For further clarity, should a Settlement Council pass a by-law establishing a Code of Conduct, the by-law may also include those disciplinary measures deemed necessary by the Settlement Council to enforce compliance with the by-law so long as:

(a) the disciplinary measures are proportionate to the breach of the by-law; and
(b) the disciplinary measures do not include the power to remove Settlement Councillors, to impose financial penalties or to interfere with all or substantially all of the duties and responsibilities of the Settlement Councillor as an Elected Official.

SECTION 3 – CONFLICT OF INTEREST

Basic rule
16. An Elected Official has a Conflict of Interest in a matter they have a Financial Interest, a Membership Interest or a Land Interest in any matter before Settlement Council or General Council or that, in the circumstances, it might reasonably appear that they have such an interest.

17. An Elected Official has a Conflict of Interest in a matter if they can reasonably be expected to know that their Family Member or Associate has a Financial Interest, a Membership Interest or a Land Interest in any matter before Settlement Council or General Council or that, in the circumstances, it might reasonably appear that their Family Member or Associate has such an interest.

Exemptions from the basic rule[2]
18. An Elected Official does not have a Conflict of Interest by reason only of any Membership Interest or Land Interest that is held in common with the majority of Settlement members, or if the matter only affects part of the Settlement area, with the majority of the members who live in that part.

Dealing with Conflict of Interest
19. The requirements for Settlement Councillors to disclose and address Financial Interests in a matter before Council is described at section 39 of the *MSA* and the Financial Interest Policy [GC P9808].

20. In addition to section 39, a Settlement Councillor must disclose to the Settlement Council any Membership Interest or Land Interest that the Councillor has in a matter before the Council.

21. Settlement Councils may pass a by-law which provides a procedure for the Settlement Council to consider and address any Conflicts of Interest that are disclosed by Settlement Councillors in respect of decisions before the Council or General Council.

SECTION 4 – TRANSITIONAL

Breaches prior to passage
22. No proceeding may be commenced under this Policy in respect of an alleged breach of this Policy committed prior to its approval pursuant to section 224 of the *MSA*.

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[2] Exemptions in respect of Financial Interests are addressed in section 2.2 of the Financial Interest Policy GC-P9808

23. THIS POLICY IS HEREBY DULY APPROVED AND PASSED by the **General Council on 3rd Reading this 22nd day of November, 2018 at Edmonton, in the Province of Alberta.**

Metis Settlements General Council

Per:

____
Gerald Cunningham, President

Per:

____
Dorothy Anderson, Elected Secretary

SCHEDULE "A" OATH OF OFFICE[3]

Official oath
When by a statute of Alberta a person is required to take an official oath on being appointed to an office other than that of judge or justice of the peace, or being admitted to a profession or calling, the oath shall be taken in the following form:

I, ________________________, swear that I will diligently, faithfully and to the
(Name)

best of my ability, execute according to the law of the office of the Settlement

Councillor of the ________________________.
(Name of the Settlement)

So help me God.

Solemn affirmation
A person who is required by a statute of Alberta to take an oath prescribed by this Act may make a solemn affirmation instead of taking the oath.

When on the administering of an oath prescribed by this Act the person about to take the oath is permitted by law to make a solemn affirmation instead of taking an oath, the person may make a solemn affirmation in the prescribed form of the oath, substituting the words "solemnly affirm" for the word "swear", and omitting the words "So help me God".

SCHEDULE "B" CODE OF CONDUCT

In recognition of my commitment and dedication to serve the members who have entrusted me to provide good governance, I promise I will:

1. Make decisions that provide for the preservation and enhancement of Metis culture and identity, secure a land base for future generations of Metis Settlement

[3] Schedule A is excerpted from the *Oaths of Office Act*.

members, attain culturally appropriate self-governance institutions, and achieve economic self-sufficiency.

2. Maintain my permanent residence on the __________________ Settlement for the duration of my elected term of office. If I move away from the Settlement, I will tender my resignation within 30 days.
3. Familiarize myself with the General Council Policies and by laws applicable to my Settlement and govern my conduct in accordance with the requirements and obligations set out in the *MSA* or any other legislation including General Council policies, Settlement bylaws, process or rule of order established by my Settlement Council or General Council.
4. Devote the necessary time, thought and attention to the duties of an Elected Official so that I may render effective and knowledgeable service. Discharge the powers vested in me honourably, faithfully, and conscientiously by considering all available information in decision making, ensuring I devote sufficient time and energy to committees and by ensuring I adhere to the terms of reference to any committees to which I am appointed.
5. Treat my fellow Elected Officials, administrative staff and Settlement members with respect, concern, and courtesy, including any representations on social media.
6. Reimburse my Settlement or General Council for any travel expenses paid in advance for any meeting that I do not attend or leave early without authorization, or any expense to which I am not legitimately entitled according to the applicable travel policy of my Settlement or General Council.
7. Protect and safeguard the privileged information to which I have access in the course of my official duties; and maintain the confidentiality of information.
8. Refrain my using my position to secure for myself, my family members, or any other person or organization special privileges, favours, or exemptions, including not using Settlement assets or General Council assets for my personal benefit.
9. Acknowledge that, unless explicitly authorized by my Settlement Council through a formal resolution, I have no individual legal authority outside of a meeting of Council to direct staff and that I must conduct my relationships with my fellow Elected Officials, administrative staff, Settlement members and the general public on this basis.
10. Acknowledge that any unethical conduct not covered by or specifically prohibited by this Policy or other legislative or statutory provisions does not imply that such conduct is therefore condoned.

All of which I affirm that I have read, understood and with which I agree to comply as indicated by my signature executed on the date provided below.

__________________________	____________________
Elected Official Signature	Date

____
Name of Settlement

Property Assessment Policy

GC-P1807

WHEREAS:

A. Pursuant to section 166 of the *Metis Settlements Act,* if there is a General Council Policy that allows for a settlement council to make bylaws to tax land, interests in land or improvements on land in the settlement area, a settlement council may make such bylaws in accordance with that policy;

B. The General Council deems it to be in the best interests of the settlements of Alberta to make such a policy to authorize settlements to assess and tax business property located within settlement areas for the purposes of raising revenue for the cost of settlement expenditures and community services; and

C. The General Council has given notice of this Policy and has considered any representations received by the General Council, in accordance with the requirements of the *Metis Settlements Act*;

NOW THEREFORE the Metis Settlements General Council duly enacts as follows:

PART I - CITATION

Citation
1. This Policy may be cited as the *Metis Settlements General Council Property Assessment Policy 2018.*

PART II - DEFINITIONS AND REFERENCES

Definitions and References
2. (1) In this Policy:

"Act" means the *Metis Settlements Act,* RSA 2000, c M-14, as may be amended or replaced from time to time, and the regulations and policies enacted under that Act;

"Appeal Tribunal" means the Metis Settlements Appeal Tribunal as established under the Act;

"assessable property" means property in respect of which an assessment has been or may be prepared under this Policy;

"assessed person" means a person who is named on an assessment roll prepared pursuant to this Policy;

"assessed value" means the value of a property, as determined under this Policy;

"assessing settlement" means the particular settlement that has assessed property;

"assessment" means a value of property determined in accordance with this Policy;

"assessment class" means those categories of property established in section 6 for the purposes of assessment and taxation;

"Assessment Notice" means a notice prepared pursuant to section 16 of this Policy;

"assessment roll" means a roll prepared pursuant to this Policy and includes a supplementary assessment roll, an amended assessment roll, and an assessment roll referenced under section 9(3);

"assessment year" means the year prior to the taxation year;

"assessor" means a person appointed by settlement council under section 3(1);

"business property" means property used to carry on a business other than a settlement member owned farm;

"*Business Property Contributions Policy*" means the Metis Settlements General Council *Business Property Contributions Policy*, Policy GC-P9602, 1996;

"complainant" means a person who commences a complaint pursuant to Part VIII of this Policy;

"designated industrial property" means

(a) facilities regulated by the Alberta Energy Regulator, the Alberta Utilities Commission or the National Energy Board,

(b) linear property,

(c) property designated as a major plant by Provincial property assessment regulations,

(d) land and improvements in respect of a parcel of land where that parcel of land contains property described in subclause (a) or (c), and

(e) land and improvements in respect of land in which a leasehold interest is held where the land is not registered in a land titles office and contains property described in subclause (a) or (c);

"electric power system" means an electric distribution system, an electric generation system or an electric transmission system;

"electric transmission system" means a system or arrangement of lines of wire or other conductors and transformation equipment situated wholly in Alberta whereby electric energy, however produced, for which rates are regulated by the Alberta Utilities Commission is transmitted in bulk, and includes

(a) transmission circuits composed of the conductors that form the minimum set required to transmit electric energy,

(b) insulating and supporting structures,

(c) substations, and

(d) operational and control devices,

but does not include land, buildings, an electric generation system or an electric distribution system;

"General Council" has the meaning given to that term in the Act;

"General Council Policy" has the meaning given to that term in the Act;

"improvement" means
- (a) a structure,
- (b) anything attached or secured to a structure that would be transferred without special mention by transfer or sale of the structure,
- (c) a manufactured home, mobile home, modular home or travel trailermobile unit, and
- (d) machinery and equipment;

"linear property" means
- (a) electric power systems,
- (b) street lighting systems,
- (c) telecommunication systems,
- (d) pipelines,
- (e) railway property, and
- (f) wells;

"machinery and equipment" means materials, devices, fittings, installations, appliances, apparatus and tanks other than tanks used exclusively for storage, including supporting foundations and footings and any other thing prescribed by General Council resolution that forms an integral part of an operational unit intended for or used in
- (a) manufacturing,
- (b) processing,
- (c) the production or transmission by pipeline of natural resources or products or byproducts of that production,
- (d) the excavation or transportation of coal or oil sands, as defined in the *Oil Sands Conservation Act*,
- (e) a telecommunication system, or
- (f) an electric power system;

"manufactured home" means any structure, whether ordinarily equipped with wheels or not, that is manufactured to meet or exceed the Canadian Standards Association standard CSA Z240 and that is used as a residence or for any other purpose;

"mobile home" means a structure that is designed to be towed or carried from place to place and that is used as a residence or for any other purpose, but that does not meet Canadian Standards Association standard CSA Z240;

"modular home" means a home that is constructed from a number of pre-assembled units that are intended for delivery to and assembly at a residential site;

"person" includes a partnership, syndicate, association, corporation and the personal or other legal representatives of a person;

"pipeline" means any continuous string of pipe, including loops, bypasses, cleanouts, distribution meters, distribution regulators, remote telemetry units, valves, fittings and improvements for the protection of pipelines used or intended for use in gathering, conveying, transporting, distributing or disposal of any substance or combination of substances, but does not include

(a) a pipe used or intended for use to convey water, other than in connection with

  (i) a facility, scheme or other matter authorized under the *Oil and Gas Conservation Act* or the *Oil Sands Conservation Act*, or

  (ii) a coal processing plant or other matter authorized under the *Coal Conservation Act*,

(b) a regulating or metering station or the inlet valve or outlet valve in any processing, refining, manufacturing, marketing, transmission line pumping, heating, treating, separating or storage facility or any installation, material, device, fitting, apparatus, appliance, machinery or equipment between those valves,

(c) a pipe, installation, material, device, fitting, apparatus, appliance, machinery or equipment between valves referred to in subclause (b), or

(d) land or buildings;

"property" means

(a) a parcel of land,

(b) an improvement, or

(c) a parcel of land and the improvements to it;

"Province" or "Provincial" means or refers to the province of Alberta;

"provincial assessor" means the provincial assessor designated pursuant to the Municipal Government Act of Alberta;

"railway property" means

(a) the continuous strip of land owned or occupied by a person as a right-of-way for trains leading from place to place in Alberta, but does not include

  (i) land outside the right-of-way, or

  (ii) land used by the person for purposes other than the operation of trains,

(b) grading, ballasts or improvements located within or outside a right-of-way for trains and used in the operation of trains, and

(c) the improvements that form part of a telecommunications system used or intended for use in the operation of trains,

but does not include any part of an amusement railway, heritage railway or urban rail transit system as defined in the *Railway (Alberta) Act;*

"request for information" means a written request for information prepared by an assessor pursuant to section 7 of this Policy;

"resolution" means a motion passed and approved by a majority of settlement council present at a duly convened meeting;

"settlement" has the meaning given to that term in the Act;

"settlement area" has the meaning given to that term in the Act;

"settlement member" means an individual who is a member of a settlement;

"settlement council" means the council of a settlement;

"street lighting systems" includes structures, installations, fittings and equipment used to supply light, but does not include land or buildings;

"structure" means a building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land;

"supplementary Assessment Notice" means a notice containing the information required under subsection 18(10);

"supplementary assessment roll" means an assessment roll prepared pursuant to sections 18(5) and 18(6);

"tax administrator" means the person appointed by a settlement council to that position under the Taxation Policy;

"Taxation Policy" means the *Metis Settlements General Council Property Taxation Policy 2018*;

"taxation year" means the calendar year to which an assessment roll applies for the purposes of taxation;

"taxes" includes
- (a) all taxes imposed, levied, assessed or assessable under the Taxation Policy, and all interest added to taxes under the Taxation Policy, and
- (b) for the purposes of collection and enforcement, all taxes imposed, levied, assessed or assessable under any other local revenue bylaw of a settlement, and all penalties, interest and costs added to taxes under such a bylaw;

"telecommunications systems" includes
- (a) a system used or intended to be used for the transmission, emission, reception, switching, compilation or transformation by cable distribution undertakings and telecommunication carriers that are subject to the regulatory authority of the Canadian Radio-television and Telecommunications Commission or any successor of the Commission, and
- (b) the items listed in the Minister's guidelines under section 322(2) of the *Municipal Government Act* as components of a system referred to in subclause (a),

but does not include a private system to which the public is not intended to have access, a radio communications system intended for direct reception by the public or any land or buildings; and

"wells" includes
- (a) any pipe in a well that is used or intended for use in
  - (i) obtaining gas or oil, or both, or any other mineral,
  - (ii) injecting or disposing of water, steam, salt water, glycol, gas or any other substance to an underground formation,
  - (iii) supplying water for injection to an underground formation, or

(iv) monitoring or observing performance of a pool, aquifer or an oil sands deposit,

(b) well head installations or other improvements, with the exception of machinery and equipment, located at a well site used or intended for use for any of the purposes described in subclause (a) or for the protection of the well head installations,

(c) the land that forms the site of a well used for any of the purposes described in subclause (a) if it is by way of a lease, licence or permit,

(d) a building at a well site that contains machinery and equipment related to the well;

(2) In this Policy, references to a Part (e.g. Part I), section (e.g. section 3, Section 3(1)), subsection (e.g. subsection (1), subsection (a)) or Schedule (e.g. Schedule I) is a reference to the specified Part, section, subsection, or Schedule of this Policy, except where otherwise stated.

PART III - ADMINISTRATION

Assessor

3. (1) A settlement council must, by resolution, appoint one or more assessors annually to undertake assessments of property located within the settlement area in accordance with this Policy and on any other such terms and conditions as set out in the resolution.

(2) An assessor appointed by settlement council must be qualified to conduct assessments of property in the Province.

Application of Policy

4. This Policy applies to all property located within settlement areas.

PART IV - ASSESSED VALUE

Assessment and Valuation

5. (1) The assessor must assess each property in the settlement area that is subject to taxation under the Taxation Policy and each property for which payments-in-lieu may be accepted by a settlement council.

(2) For the purposes of assessing interests in property, the assessor must, in a fair and equitable manner, use

(a) the valuation methods, standards, rates, rules, and formulas established under Provincial assessment legislation and regulations existing at the time of assessment; and

(b) the assessment rules, practices, procedures and guidelines used by assessors in the Province for preparing assessments.

(3) Each assessment must reflect the

(a) characteristics and specifications of the property on October 31 of the year prior to the year in which a tax is imposed pursuant to the Taxation Policy; and

(b) valuation and other standards used under the Provincial legislation and regulations as of July 1st of the assessment year for that property as if it were located off the settlement.

(4) Unless subsection (5) applies, an assessment must be prepared for an improvement whether or not it is complete or capable of being used for its intended purpose.

(5) No assessment is to be prepared for
- (a) new linear property that is not operational on or before October 31 of the assessment year;
- (b) new improvements, other than designated industrial property improvements, that are intended to be used for or in connection with a manufacturing or processing operation and that are not operational on or before December 31 of the assessment year;
- (c) for new designated industrial property improvements, other than linear property, that are intended to be used for or in connection with a manufacturing or processing operation and that are not operational on or before October 31;
- (d) new improvements, other than designated industrial property improvements, that are intended to be used for the storage of materials manufactured or processed by the improvements referred to in subsection (b), if the improvements referred to in subsection (b) are not operational on or before December 31 of the assessment year.

(6) Assessments for designated industrial property must be prepared in accordance with Provincial legislation and regulations and be consistent with the practices of the provincial assessor.

Assessment Classes
6. (1) For the purposes of this Policy and for the Taxation Policy, General Council hereby adopts the assessment classes established by the Province for property assessment purposes.

(2) The assessment classes established under subsection (1) are set out in Schedule I to this Policy.

(3) When preparing an assessment of property, the assessor must assign one or more of the assessment classes to the property using the Provincial classification rules for each assessment class.

(4) Where a property falls into two or more assessment classes, the assessor must determine the share of the assessed value of the property attributable to each class and assess the property according to the proportion each share constitutes of the total assessed value.

PART V - REQUESTS FOR INFORMATION AND INSPECTIONS

Requests for Information
7. (1) The assessor may, for any purpose related to the administration and implementation of this Policy, deliver a request for information, which includes a response deadline date, regarding the property to any person regarding a property.

(2) An assessor may request information or documents under subsection (1) only in respect of a property within the settlement area of the assessing settlement.

(3) If the person who received a request for information does not provide the requested information, the assessor must prepare the assessment using whatever information is available.

(4) The assessor may in all cases assess the property based on the information available to him or her and is not bound by the information provided.

Inspections
8. (1) After giving reasonable notice to the owner or occupier of any property, an assessor may at any reasonable time, for the purpose of carrying out the duties and responsibilities of the assessor under this Policy or determining if the property is to be assessed,
- (a) enter on and inspect the property,
- (b) request anything to be produced to assist the assessor in preparing the assessment or determining if the property is to be assessed; and
- (c) make copies of anything necessary to the inspection.

(2) When carrying out duties under subsection (1), an assessor must produce identification on request.

(3) An assessor must, in accordance with this Policy, inform the owner or occupier of any property of the purpose for which information is being collected.

PART VI - ASSESSMENT ROLL AND ASSESSMENT NOTICE

Recording Assessed Persons
9. (1) The name of the person described in column 2 must be recorded on the assessment roll as the assessed person in respect of the assessed property described in column 1.

	Column 1 – Assessed Property	**Column 2 – Assessed Person**
(a)	a parcel of land, unless otherwise dealt with in this subsection	the owner of the parcel of land
(b)	a parcel of land and the improvements to it, unless otherwise dealt with in this subsection	the owner of the parcel of land
(c)	a parcel of land, an improvement or a parcel of land and the improvements to it held under a lease, licence or permit from the Crown in right of Alberta or Canada or a municipality	the holder of the lease, licence or permit or, in the case of a parcel of land or a parcel of land and the improvements to it, the person who occupies the land with the consent of that holder or, if the land that was the subject of a lease, licence or permit has been sold under an agreement for sale, the purchaser under that agreement

(d)	a parcel of land forming part of the station grounds of, or of a right of way for, a railway other than railway property, or a right of way for, irrigation works as defined in the *Irrigation Districts Act* or drainage works as defined in the *Drainage Districts Act*, that is held under a lease, licence or permit from the person who operates the railway, or from the irrigation district or the board of trustees of the drainage district	the holder of the lease, licence or permit or the person who occupies the land with the consent of that holder
(e)	railway property	the owner of the railway property
(f)	a parcel of land and the improvements to it held under a lease, licence or permit from a regional airports authority, where the land and improvements are used in connection with the operation of an airport	the holder of the lease, licence or permit or the person who occupies the land with the consent of that holder
(g)	a parcel of land, or a part of a parcel of land, and the improvements to it held under a lease, licence or permit from the owner of the land where the land and the improvements are used for (i) drilling, treating, separating, refining or processing of natural gas, oil, coal, salt, brine or any combination, product or by-product of any of them, (ii) pipeline pumping or compressing, or (iii) working, excavating, transporting or storing any minerals in or under the land referred to in the lease, licence or permit or under land in the vicinity of that land.	the holder of the lease, licence or permit
(h)	machinery and equipment used in the excavation or transportation of coal or oil sands as defined in the *Oil Sands Conservation Act*	the owner of the machinery and equipment

(i)	improvements to a parcel of land listed in section 5(5) for which no assessment is to be prepared	the person who owns or has exclusive use of the improvements
(j)	linear property	the operator of the linear property
(k)	a designated manufactured home on a site in a manufactured home community and any other improvements located on the site and owned or occupied by the person occupying the designated manufactured home	the owner of (i) the designated manufactured home, or (ii) the manufactured home community if the settlement council passes a bylaw to that effect
(l)	a designated manufactured home located on a parcel of land that is not owned by the owner of the designated manufactured home together with any other improvements located on the site that are owned or occupied by the person occupying the designated manufactured home	the owner of the designated manufactured home if the settlement council passes a bylaw to that effect

(2) When land is occupied under the authority of a right of entry order as defined in the Act or an order made under any other act, it is, for the purposes of subsection (1), considered to be occupied under a lease or licence from the owner of the land.

(3) A person who purchases property or in any other manner becomes liable to be shown on the assessment roll as an assessed person

(a) must provide to the provincial assessor, in the case of designated industrial property, or

(b) must provide to the settlement by way of attention to the tax administrator, in the case of property other than designated industrial property,

(c) written notice of a mailing address to which notices under this Policy may be sent.

(4) Despite subsection (1)(c), no individual who occupies housing accommodation under a lease, licence or permit from a management body under the *Alberta Housing Act* is to be recorded as an assessed person if the sole purpose of the lease, licence or permit is to provide housing accommodation for that individual.

Assessment Roll

10. (1) On or before March 31 of each taxation year, the assessor must complete a new assessment roll containing a list of every property that is liable to assessment under this Policy.

(2) The assessment roll must be in paper or electronic form and must contain the following information for every assessed property:

(a) the name and last known address of the assessed person;

(b) a short description of the property;
(c) the assessment class or classes for the property;
(d) the assessed value by classification of the property;
(e) the total assessed value of the property;
(f) any other information the assessor considers necessary or desirable.

(3) For greater certainty, an assessment roll prepared under the enactment repealed by section 30 is and continues to be an assessment roll under this Policy and must be used until such time as the next assessment roll is prepared and certified in accordance with this Policy.

Certification by Assessor
11. On completion of an assessment roll, the assessor must
(a) certify in writing in substantially the same form as set out in Schedule V that the assessment roll was completed in accordance with the requirements of this Policy; and
(b) deliver a copy of the certified assessment roll to the assessing settlement.

Validity of Assessment Roll
12. An assessment roll is effective on certification and, unless amended in accordance with this Policy, by a decision of the Appeal Tribunal or by an order of a court of competent jurisdiction, is
(a) valid and binding on all parties concerned, despite any
(i) omission, defect or error committed in, or with respect to, the assessment roll,
(ii) defect, error or misstatement in any notice required, or
(iii) omission to give any notice required; and
(b) for all purposes, the assessment roll of the settlement until the next certified assessment roll.

Inspection and Use of Assessment Roll
13. (1) On receipt by a settlement council, the assessment roll is open to inspection in the settlement council office by any person during regular business hours.

(2) A person must not, directly or indirectly, use the assessment roll or information contained in the assessment roll to
(a) obtain names, addresses or telephone numbers for solicitation purposes, whether the solicitations are made by telephone, mail or any other means; or
(b) harass an individual.

(3) The tax administrator may require a person who wishes to inspect the assessment roll to complete a declaration in substantially the form set out in Schedule II
(a) specifying the purpose for which the information is to be used; and
(b) certifying that the information contained in the assessment roll will not be used in a manner prohibited under this section.

Protection of Privacy in Assessment Roll
14. (1) On application by an assessed person, the tax administrator may omit or obscure the assessed person's name, address or other information about the assessed person that would ordinarily be included in an assessment roll if, in the tax administrator's opinion, the inclusion of the name, address or other information could

reasonably be expected to threaten the safety or mental or physical health of the assessed person or a member of the assessed person's household.

(2) Where the tax administrator omits or obscures information under subsection (1), such information must be obscured from all assessment rolls that are available for public inspection under section 13 or are otherwise accessible to the public.

Chargeholders
15. (1) Any person holding a charge on property may, at any time, give notice, with full particulars of the nature, extent and duration of the charge, to the assessor and request that his or her name be added to the assessment roll in respect of that assessable property, for the duration of the charge.

(2) On receipt of a notice and request under this section, the assessor must enter the person's name and address on the assessment roll and provide copies of all assessment notices issued in respect of the assessable property.

Assessment Notices
16. (1) The tax administrator must, on or before May 31 of each taxation year, mail an Assessment Notice which shows the date of mailing and is in substantially the same form as shown in Schedule III to every assessed person named in the assessment roll in respect of property, to the assessed person's address recorded in the assessment roll. The Assessment Notice is deemed to have been received on the seventh day after the day it is mailed.

(2) A person whose name appears in the assessment roll must give written notice to the tax administrator of any change of address.

(3) Any number of properties assessed in the name of the same assessed person may be included in one Assessment Notice.

(4) If several properties are assessed in the name of the same assessed person at the same value, the Assessment Notice may clearly identify the property assessed, without giving the full description of each property as it appears in the assessment roll.

(5) If there is an error, omission or misdescription in any of the information shown on an Assessment Notice, the tax administrator may prepare and send an amended Assessment Notice to all assessed persons named on the assessment roll in respect of that property.

(6) Subject to section 13 and subsection (7), the tax administrator must provide to any person upon request the information contained in the current Assessment Notice.

(7) Where information has been omitted or obscured under section 14(1), the assessor must omit that information from a notice provided under subsection (6).

(8) The Assessment Notice and the Tax Notice required under the Taxation Policy relating to the same property may be mailed together or combined into one notice.

PART VII - CORRECTIONS TO ASSESSMENT ROLL

Corrections and Amendments to Assessment Roll

17. (1) Where the assessor determines that

(a) there is an error, omission or misdescription in any of the information shown on the assessment roll,

(b) no assessment has been prepared for an assessable property, or

(c) property that was exempt from taxation under the Taxation Policy has become taxable or taxable property has become exempt from taxation,

the assessor must make the necessary correction or amendment to the assessment roll and notify the settlement council.

(2) Upon receiving notice from the assessor of any correction or amendment to the assessment roll, the tax administrator must mail an amended Assessment Notice to every person named in the assessment roll in respect of the property affected.

(3) Where the assessor amends the assessment roll to correct errors and omissions or reflect decisions of the settlement council or Appeal Tribunal, the assessor must

(a) date and initial amendments made to the assessment roll; and

(b) report the change or correction to settlement.

(4) Where the assessment roll is amended under this Policy, the amendments are an integral part of the assessment roll and are deemed to be effective as of the date the assessment roll was certified under section 10.

(5) The assessor must not amend the assessment roll contrary to an order or direction of the Appeal Tribunal or a court of competent jurisdiction.

Supplementary Assessments

18. (1) A settlement council may by bylaw direct, the assessor to prepare supplementary assessments for machinery and equipment if those improvements are completed or begin to operate during the taxation year.

(2) A settlement council may by bylaw direct the assessor to prepare supplementary assessments for other improvements, including designated industrial property, if

(a) they are completed in the taxation year;

(b) they are occupied during all or any part of the taxation year; or

(c) they are moved onto the settlement during the taxation year.

(3) A supplementary assessment must reflect the

(a) value of an improvement that has not been previously assessed; or

(b) increase in the value of an improvement since it was last assessed.

(4) Supplementary assessments must be prepared in the same manner as assessments prepared under this Policy, but must be prorated to reflect only the number of months during which the improvement is complete, occupied, in operation or located on the settlement, including the whole of the first month in which the improvement was completed, occupied, began to operate or was moved onto the settlement.

(5) The assessor must prepare a supplementary assessment roll on or before December 31 in the taxation year in which supplementary assessments are prepared.

(6) A supplementary assessment roll must include the same information required to be shown on the assessment roll, and the date that the improvement
- (a) was completed, occupied, or moved onto the settlement, or
- (b) began to operate.

(7) The duties imposed on the assessor with respect to the assessment roll and the provisions of this Policy relating to assessments and assessment rolls, so far as they are applicable, apply to supplementary assessments and supplementary assessment rolls.

(8) The assessor must, no later than December 31 in the taxation year in which a supplementary assessment roll is prepared, deliver a certified copy of the supplementary assessment roll to the settlement council.

(9) The tax administrator must, no later than December 31 in the taxation year in which a supplementary assessment roll is prepared,
- (a) prepare a supplementary Assessment Notice for every assessed improvement shown on the supplementary assessment roll; and
- (b) mail a supplementary Assessment Notice to every person named on the supplementary assessment roll in respect of each assessed improvement affected.

(10) A supplementary Assessment Notice must contain the information
- (a) set out in Schedule III; and
- (b) required under subsection (6).

PART VIII - COMPLAINTS

Review by Settlement Council

19. (1) An assessed person may submit a complaint to the settlement council of the assessing settlement regarding the particulars of an Assessment Notice received by that assessed person. A complaint regarding an Assessment Notice must be based on one or more of the following grounds:
- (a) the description of the property;
- (b) the assessed value of the property;
- (c) the complainant's status as an assessed person for the property; or
- (d) the assessment class of the property.

(2) A complaint based on one or more of the grounds identified in subsection (1) must:
- (a) be made in writing by the complainant and include all of the information set out in Schedule IV;
- (b) include reasons in support of the complaint;
- (c) include the supporting documentation, if any, that the complainant wishes to rely on; and
- (d) be delivered to the settlement council within thirty (30) days from the date of delivery of the Assessment Notice subject to the complaint;

(3) Delivery of a complaint to a settlement council must be made personally or by mail. Personal delivery must be made by leaving the document with the individual apparently in charge, at the time of delivery, of the main administrative office of the assessing settlement. The complaint is considered to have been delivered to a settlement council on the date of personal delivery, or if sent by mail on the seventh day after the day it is mailed.

(4) All rights to a review hearing and appeal respecting a complaint under this Policy are extinguished in the event that an applicant does not fulfill all of the criteria listed in subsection (2).

(5) Provided that a complainant has fulfilled all of the criteria listed in subsection (2), a settlement council shall refer the complaint to the assessor with instructions to review the matter with the complainant and to provide a written report back to settlement council by a certain date.

(6) Complaints that comply with all of the criteria in subsection (2) shall be scheduled for a review hearing by a settlement council after the assessor has provided a written report. Notice of the date and time of the review hearing shall be sent to the complainant at his or her address for service at least 14 days prior to the date of the review hearing. A person or an agent authorized in writing by the complainant is entitled to attend the review hearing and may make oral submissions regarding the complaint.

(7) After considering the report of the assessor and after a review hearing has occurred, a settlement council shall render a decision regarding the complaint within 90 days of the review hearing date. A notice of the decision must be sent to the complainant at his or her address for service.

(8) In the event that a settlement council has decided to modify the assessment in relation to a complaint, the settlement council shall:

(a) give notice to the assessor to amend the assessment roll as necessary to reflect the modified assessment;
(b) give notice of the amended assessment to the tax administrator and to all other persons who received the Assessment Notice in respect of the assessable property; and
(c) where a notice of appeal has been delivered in respect of the assessable property, advise the Appeal Tribunal of the modification.

(9) A complainant who has received a notice of decision from a settlement council pursuant to a complaint made under this section 19 may appeal the decision to the Appeal.

PART IX - APPEALS TO APPEAL TRIBUNAL

Appeals

20. An appeal of a settlement council’s decision made pursuant to section 19 regarding a complaint must be made to the Appeal Tribunal.

21. In such an appeal, the Appeal Tribunal is bound by the terms of this Policy.

Notice of Appeal

22. (1) An appeal to the Appeal Tribunal must be based on one or more grounds raised in the original complaint and limited to one or more of the following grounds:

(a) the description of the property;

(b) the assessed value of the property;
(c) the complainant's status as an assessed person for the property; or
(d) the assessment class of the property.

(2) The notice of appeal to the Appeal Tribunal must:
(a) be made in writing by the complainant;
(b) contain the complainant's address for service;
(c) explain the details of the appeal and the reasons for it;
(d) include the supporting documentation, if any, that the complainant wishes to rely on; and
(e) be filed within 30 days of the date of delivery to the complainant of the settlement council's notice of decision.

(3) Where an appeal is commenced with respect to an assessment amended under section 17, the appeal must be confined to the amendment.

(4) Where an appeal is commenced with respect to a supplementary assessment under section 18, the appeal must be confined to the supplementary assessment.

Effect of Decision
23. (1) Where the Appeal Tribunal orders a change to an assessment roll or Assessment Notice, the tax administrator shall make the change immediately and the tax for the year shall be adjusted accordingly if required.

(2) Notwithstanding subsection (1), if a settlement council appeals the Appeal Tribunal's decision, then no changes shall be made to the assessment roll or Assessment Notice until final determination of the matter.

(3) In the event that the tax paid by a complainant was more or less than what would have been payable at the revised assessment roll or Assessment Notice, interest is payable on the difference at the Bank of Canada prime rate in place at the time of the Appeal Tribunal's decision.

PART X - GENERAL PROVISIONS

Disclosure of Information
24. (1) The tax administrator, the assessor, a member of the Appeal Tribunal, the settlement council or any other person who has custody or control of information or records obtained or created under this Policy must not disclose the information or records except
(a) in the course of administering this Policy or performing functions under it;
(b) in proceedings before the Appeal Tribunal, a court of law or pursuant to a court order; or
(c) in accordance with subsection (2).

(2) The assessor may disclose to the agent of an assessed person confidential information relating to the property if the disclosure has been authorized in writing by the assessed person.

(3) An agent must not use information disclosed under subsection (2) except for the purposes authorized by the assessed person in writing referred to in that subsection.

Disclosure for Research Purposes

25. Notwithstanding section 24,

(a) the tax administrator may disclose information and records to a third party for research purposes, including statistical research, provided the information and records do not contain information in an individually identifiable form or business information in an identifiable form; and

(b) a settlement council may disclose information and records to a third party for research purposes, including statistical research, in an identifiable form, where

(i) the research cannot reasonably be accomplished unless the information is provided in an identifiable form, and

(ii) the third party has signed an agreement with a settlement council to comply with a settlement council's requirements respecting the use, confidentiality and security of the information.

Validity

26. Nothing done under this Policy shall be deemed void or invalid, nor must the liability of any person to pay taxes or amounts levied under the Taxation Policy be affected by

(a) an error or omission in a valuation or a valuation based solely on information in the hands of an assessor or the tax administrator;

(b) an error or omission in an assessment roll, Assessment Notice, or any notice given under this Policy; or

(c) a failure of the settlement council, tax administrator or the assessor to do something within the required time.

Notices

27. (1) Where in this Policy a notice is required to be given by mail or where the method of giving the notice is not otherwise specified, it must be given

(a) by mail to the recipient's ordinary mailing address or the address for the recipient shown on the assessment roll;

(b) where the recipient's address is unknown, by posting a copy of the notice in a conspicuous place on the recipient's property; or

(c) by personal delivery or courier to the recipient or to the recipient's ordinary mailing address or the address for the recipient shown on the assessment roll.

(2) Except where otherwise provided in this Policy, a notice

(a) given by mail is deemed received on the seventh day after the day it is posted;

(b) posted on property is deemed received on the second day after it is posted; and

(c) given by personal delivery is deemed received upon delivery.

Electronic Delivery of Notices

28. (1) Where this Policy or a bylaw made under this Policy requires a notice to be given by mail, the notice may be sent by electronic means if:

(a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail address, website or other electronic address to the sender for that purpose, and

(b) it is possible to make a copy of the document from the electronic transmission.

(2) In the absence of evidence to the contrary, a document sent by electronic means in accordance with subsection (1) is deemed received on the date that it is sent.

(3) For greater certainty, a reference in this Policy to a mailing address is to be interpreted as including an electronic address referred to in subsection (1)(a) if the requirements of subsection (1) are met.

Interpretation
29. (1) The provisions of this Policy are severable, and where any provision of this Policy is for any reason held to be invalid by a decision of a court of competent jurisdiction, the invalid portion must be severed from the remainder of this Policy and the decision that it is invalid must not affect the validity of the remaining portions of this Policy.

(2) Where a provision in this Policy is expressed in the present tense, the provision applies to the circumstances as they arise.

(3) Words in this Policy that are in the singular include the plural, and words in the plural include the singular.

(4) This Policy must be construed as being remedial and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.

(5) Unless specified to the contrary, reference in this Policy to a law, statute or enactment is a reference to the law, statute or enactment of the Province as it exists from time to time and includes any regulations made under the law, statute or enactment.

(6) Headings form no part of this Policy and must be construed as being inserted for convenience of reference only.

Repeal and Transition
30. The *Business Property Contributions Policy* is hereby repealed in its entirety.

31. The repeal of the *Business Property Contributions Policy* does not affect anything done, incurred or acquired under the authority of the *Business Property Contributions Policy* before its repeal. For greater clarity, any right incurred or proceeding commenced under the authority of the *Business Property Contributions Policy* before its repeal remains valid and shall continue to be governed by the provisions of the *Business Property Contributions Policy*.

Force and Effect
32. This Policy comes into force and effect on the later of the day it is approved by the Minister of Indigenous Affairs and the day after it is approved and passed by the General Council.

THIS POLICY IS HEREBY DULY ENACTED by the General Council on the 6th day of March, 2019 at Edmonton, in the Province of Alberta.

Metis Settlements General Council

Per:

____
Gerald Cunningham, President

Per:

____
Dorothy Anderson, Elected Secretary

SCHEDULE I - ASSESSMENT CLASSES

Class 1 - residential
Class 2 - non-residential
Class 3 - farm land
Class 4 - machinery and equipment

SCHEDULE II - DECLARATION OF PURPOSE FOR THE USE OF ASSESSMENT INFORMATION

I, ________________________ [name], of ___________________ [address], _______________ [city], ________ [province], ________ [postal code], declare and certify that I will not use the assessment roll or information contained in the assessment roll to obtain names, addresses or telephone numbers for solicitation purposes, whether the solicitations are made by telephone, mail or any other means, or to harass an individual.

I further declare and certify that any assessment information I receive will be used for the following purpose(s):

(1) a complaint or appeal under the *Metis Settlements General Council Property Assessment Policy 2018;*

(2) a review of an assessment to determine whether to seek a reconsideration or appeal of the assessment; or

(3) other: ____.

Signed: ____________________________
[please print name]

Dated: ____________________, 20___.

SCHEDULE III - ASSESSMENT NOTICE

Date of mailing: ________________

TO: ____

ADDRESS: ____

DESCRIPTION OF INTEREST IN LAND: __________________________

____

TAKE NOTICE that the assessment roll has been certified by the assessor for the __________________ Metis Settlement and delivered to the Settlement Council.

The following person(s) is/are the assessed person of the property: [Name(s) & addresses]

The property is classified as:

The assessed value by assessment class of the property is:

TOTAL ASSESSED VALUE: ________________

TOTAL ASSESSED VALUE LIABLE TO TAXATION: ________________

AND TAKE NOTICE that you may, within thirty (30) days of the date of mailing of this notice, request a reconsideration of this assessment by delivering a written request for reconsideration in the form specified in the *Metis Settlements General Council Property Assessment Policy 2018* . Within ninety (90) days of receipt by the Settlement Council of your request for reconsideration, the assessor will review the assessment and provide you with the results of the reconsideration. If the assessor determines that the property should have been assessed differently, Settlement Council will offer to modify the assessment.

AND TAKE NOTICE that you may, within thirty (30) days of Settlement Council's decision with respect to your request for reconsideration, appeal this assessment to the Appeal Tribunal. The Notice of Appeal must be and writing and be delivered to the Appeal Tribunal at the following address: [insert address].

____

Tax Administrator for the ____________________ Metis Settlement

Dated: __________________ , 20___ .

SCHEDULE IV - ASSESSMENT COMPLAINT

TO: Settlement Council for the ____________ Metis Settlement

[address]

PURSUANT to the provisions of the *Metis Settlements General Council Property Assessment Policy 2018*, I hereby request a review of the Assessment Notice of the following property:

[description of the property as described in the Assessment Notice]

I am: ___ an assessed person of the property ___ named on the assessment roll in respect of this property

This request to review the Assessment Notice is based on the following reasons:

(1)

(2)

(3)

(describe the reasons in support of the request in as much detail as possible)

Address and telephone number at which applicant can be contacted:

____

____

______________________________ ______________________________

Name of Complainant (please print) Signature of Complainant

Dated: _____________, 20___.

SCHEDULE V - CERTIFICATION OF ASSESSMENT ROLL BY ASSESSOR

The assessor must certify the assessment roll in the following form:

I, ______________________, being the assessor for the _____________ Metis Settlement, hereby certify that this is the ________ Metis Settlement [supplementary] assessment roll for the year 20__ and that this assessment roll is complete and has been prepared and completed in accordance with all requirements of the *Metis Settlements General Council Property Assessment Policy 2018.*

____

(Signature of Assessor)

Dated ______________, 20___ at _____________________, ______________.
(City) (Province)

Property Taxation Policy

GC-P1806

WHEREAS:

A. Pursuant to section 166 of the *Metis Settlements Act,* if there is a General Council Policy that allows for a settlement council to make bylaws to tax land, interests in land or improvements on land in the settlement area, a settlement council may make such bylaws in accordance with that policy;

B. The General Council deems it to be in the best interests of the settlements of Alberta to make such a policy to authorize settlements to assess and tax business property located within settlement areas for the purposes of raising revenue for the cost of settlement expenditures and community services;

C. The General Council recognizes that the recent Supreme Court of Canada ruling in *Daniels v. Canada (Indian Affairs and Northern Development)* 2016 SCC 12 may have implications for settlement policies, however the extent of such implications is not entirely known at this time and as such the General Council is mindful that modifications may need to be made to this Policy; and

D. The General Council has given notice of this law and has considered any representations received by the General Council, in accordance with the requirements of the *Metis Settlements Act*;

NOW THEREFORE the General Council duly enacts as follows:

PART I - CITATION

Citation
1. This Policy may be cited as the *Metis Settlements General Council Property Taxation Policy 2018*.

PART II - DEFINITIONS AND REFERENCES

Definitions and References
2. (1) In this Policy:

"Act" means the *Metis Settlements Act, RSA 2000, c M-14*, as may be amended or replaced from time to time, and the regulations and policies enacted under that Act;

"Appeal Tribunal" means the Metis Settlements Appeal Tribunal as established under the Act;

"assessed person" means a person who is named on an assessment roll prepared pursuant to this Policy;

"assessed value" has the meaning given to that term in the Assessment Policy;

"assessment class" has the meaning given to that term in the Assessment Policy;

"Assessment Notice" has the meaning given to that term in the Assessment Policy;

"Assessment Policy" means the *Metis Settlements General Council Property Assessment Policy 2018*;

"assessment roll" has the meaning given to that term in the Assessment Policy;

"assessor" means a person appointed to that position under the Assessment Policy;

"business property" means property used to carry on a business other than a settlement member owned farm;

"*Business Property Contributions Policy*" means the Metis Settlements General Council *Business Property Contributions Policy*, Policy GC-P9602, 1996;

"comparable communities" means

(a) settlements;

(b) bands, as defined in the *Indian Act*, RSC 1985, c I-5; and

(c) municipal authorities, as defined in the *Municipal Government Act*

located within the Province that are identified by a settlement council for the purposes of calculating a minimum tax rate pursuant to section 8(7) based on factors including, but not limited to, proximity, geographic size, geographic similarity, population size, and similarity of services provided;

"complainant" means a taxpayer who commences a complaint in respect of a Tax Notice pursuant to this Policy;

"debtor" means a person liable for unpaid taxes imposed under this Policy;

"General Council" has the meaning given to that term in the Act;

"General Council Policy" has the meaning given to that term in the Act;

"improvement" has the meaning given to that term in the Assessment Policy;

"Notice of Discontinuance of Services" means a notice containing the information set out in Schedule VII;

"Notice of Sale of a Right to Assignment of Taxable Property" means a notice containing the information set out in Schedule VI;

"Notice of Seizure and Assignment of Taxable Property" means a notice containing the information set out in Schedule V;

"person" includes a partnership, syndicate, association, corporation and the personal or other legal representatives of a person;

"personal property" means property other than land;

"Province" means the province of Alberta;

"registry" means the Metis Settlements Land Registry;

"resolution" means a motion passed and approved by a majority of settlement council present at a duly convened meeting;

"settlement" has the meaning given to that term in the Act;

"settlement area" has the meaning given to that term in the Act;

"settlement council" means the council of a settlement;

"settlement member" means an individual who is a member of a settlement;

"settlement member owned corporation" means a corporation in which 51% or more of the ownership interests are owned by a settlement member or members;

"settlement member owned farm" means a farm, including a ranch or tree farm, that is directly owned and operated by one or more settlement members;

"supplementary Tax Notice" means a notice issued and prepared pursuant to section 13(3);

"supplementary tax roll" means a tax roll prepared pursuant to section 13;

"tax administrator" means a person appointed by a settlement Council under section 3(1) to administer this Policy;

"Tax Arrears Certificate" means a certificate prepared pursuant to section 26 of this Policy;

"Tax Certificate" means a certificate prepared pursuant to section 17 of this Policy;

"Tax Notice" means a notice prepared pursuant to section 11 of this Policy and includes an amended Tax Notice;

"tax roll" means a list prepared pursuant to this Policy of persons liable to pay tax on taxable property;

"taxable property" means a property that is subject to taxation under this Policy;

"taxation year" means the calendar year to which an assessment roll applies for the purposes of taxation;

"taxes" include:

(a) all taxes imposed, levied, assessed or assessable under this Policy, and all interest added to taxes under this Policy, and

(b) for the purposes of collection and enforcement, all taxes imposed, levied, assessed or assessable under any other local revenue bylaw of a settlement, and all penalties, interest and costs added to taxes under such a bylaw;

"taxing settlement" means the particular settlement that issued a tax notice; and

"taxpayer" means a person liable for taxes in respect of taxable property under this Policy.

(2) In this Policy, references to a Part (e.g. Part I), section (e.g. section 3, section 3(1)), subsection (e.g. subsection (1), subsection (a)), or Schedule (e.g. Schedule I) is a reference to the specified Part, section, subsection or Schedule of this Policy, except where otherwise stated.

PART III - ADMINISTRATION

Tax Administrator

3. (1) A settlement council must, by resolution, appoint a tax administrator annually to administer this Policy in accordance with this Policy and on any other such terms and conditions as set out in the resolution.

(2) The tax administrator must fulfill the responsibilities given to the tax administrator under this Policy and the Assessment Policy.

(3) The tax administrator may with the consent of the settlement council, assign the performance of any duties of the tax administrator to any officer, employee, contractor or agent of the settlement.

(4) The tax administrator's responsibilities include:

(a) the collection of taxes and the enforcement of payment under this Policy; and

(b) the day to day management of the settlement's local revenue account.

PART IV - LIABILITY FOR TAXATION

Application of Policy

4. This Policy applies to all property located within settlement areas.

Tax Liability

5. (1) Except as provided for in Part V, all property is subject to taxation under this Policy.

(2) The person liable to pay tax imposed under this Policy, is the person who:

(a) is the assessed person at the time the assessment is prepared under the Assessment Policy, or

(b) subsequently becomes the assessed person.

(3) Taxes levied under this Policy are a debt owed to a settlement, recoverable by a settlement in any manner provided for in this Policy or in a court of competent jurisdiction.

(4) Where a property is exempt from taxation under sections 7(1)(a) or (b), that exemption does not affect the taxation liability of other assessed persons of the same taxable property.

(5) Taxes are due and payable under this Policy notwithstanding any proceeding initiated or remedy sought by a taxpayer respecting his or her taxation liability under this Policy.

(6) Any person who shares an interest in the same taxable property is jointly and severally liable to a settlement for all taxes imposed on that taxable property under this Policy during the taxation year and for all unpaid taxes imposed in a previous taxation year, including for clarity, penalties, interest and costs as provided in this Policy.

Tax Refunds
6. (1) Where a taxpayer is found by a settlement council to have been taxed in excess of the proper amount in a taxation year, the tax administrator must refund to that person any excess taxes paid by that person.

(2) Where a taxpayer is entitled to a refund of taxes, a settlement council may direct the tax administrator to refund the amount in whole or in part by applying it as a credit on account of taxes or other unpaid amounts that are due or accruing due to the settlement in respect of taxable property held by that taxpayer.

(3) Where a taxpayer is entitled to be refunded an amount of taxes paid under this Policy, the tax administrator must pay the person interest as follows:

- (a) interest accrues from the date that the taxes were originally paid to the settlement;
- (b) the interest rate during each successive three (3) month period beginning on January 1, April 1, July 1 and October 1 in every year, is two percent (2%) below the prime lending rate of the principal banker to the settlement on the 15th day of the month immediately preceding that three (3) month period;
- (c) interest will not be compounded; and
- (d) interest accrues to and includes the day that a refund payment is prepared by the tax administrator. Once a refund payment has been prepared, it must be mailed by regular mail to the taxpayer to whom it is owned within five business days. Alternatively, the taxpayer may make alternate arrangements with the tax administrator to pick up the refund payment.

PART V - EXEMPTIONS FROM TAXATION

Exemptions
7. (1) The following property is exempt from taxation under this Policy to the extent indicated:

- (a) subject to subsection (2), any property held or occupied by a settlement member who is a member of the taxing settlement;
- (b) subject to subsection (2), any property held by a settlement member owned corporation of the taxing settlement;
- (c) property used in connection with school purposes, not operated for profit;
- (d) property held by a religious body and used chiefly for divine service, public worship or religious education, and any property held by the religious body and used only as a parking area in connection with these purposes;
- (e) property used in connection with a hospital, not operated for profit;
- (f) property used as a university, technical institute or public college, not operated for profit;

(g) property used to provide housing accommodation for senior citizens, not operated for profit; and

(h) property consisting of the following:

 (i) land, to a maximum of 10 hectares, that is used as a cemetery; and

 (ii) any improvement on land described in subsection (i) that is used for burial purposes.

(2) The exemptions in sections 7(1)(a) and (b) do not apply to property that is held by a settlement member, the General Council or a settlement member owned corporation as the case may be, where that property is actually occupied by someone other than a settlement member, the General Council, or a settlement member owned corporation, with the exception of a person occupying property under authority of the General Council's Land Policy.

(3) The exemptions in sections 7(1)(c) to (h) apply only to that portion of a property that is used for the purposes for which the exemption is given.

(4) Where a property contains one or more parts that are exempt from taxation, the taxes are recoverable against the entire property.

(5) A settlement council may by bylaw establish other property that is exempt from taxation under this Policy.

PART VI - LEVY OF TAX

Tax Levy

8. (1) No settlement council may pass a property tax bylaw in respect of a year unless the operating and capital budget for that year has been passed by the settlement council.

(2) A property tax bylaw that sets the rate of tax to be applied to each assessment class must be passed by a settlement council on or before May 15 in each taxation year.

(3) A tax rate is calculated by dividing the amount of revenue required pursuant to the budget by the total assessed value of all property on which that tax rate is to be imposed.

(4) A property tax bylaw may establish different tax rates for each assessment class.

(5) The amount of tax to be imposed in respect of a property is calculated by multiplying the assessed value for the property by the tax rate to be imposed on that property.

(6) Taxes levied under this Policy are deemed to be imposed on January 1 of the taxation year in which the levy is first made.

(7) Notwithstanding subsection (5), a settlement council may establish in its property tax bylaw a minimum tax rate payable in respect of taxable property. A minimum tax rate is established by:

(a) identifying in the property tax bylaw at least five comparable communities;

(b) calculating the average property tax rate of the comparable communities identified in subsection (a); and
(c) multiplying the average tax rate calculated under subsection (b) by a factor of 1.30.

(8) A minimum tax rate established under the authority of subsection (7) may be established in respect of one or more assessment classes.

(9) Notwithstanding the determination of the tax rates and amounts prescribed by this section 8, a settlement council may approve by bylaw different tax rates applicable to or tax amounts payable by particular assessed persons. Any bylaw approving a different tax rate or tax amount for a particular assessed person is valid only for the calendar year in which the bylaw was passed.

Tax Payments
9. (1) Taxes are due and payable on or before June 30 of the taxation year in which they are levied.

(2) Taxes must be paid at the office of the settlement during normal business hours, by cheque, money order, cash or by any other means accepted by the settlement.

(3) Payment of taxes made by cheque or money order must be made payable to the taxing settlement.

PART VII - TAX ROLL AND TAX NOTICE

Tax Roll
10. (1) On or before May 15 of each taxation year, the tax administrator must create a tax roll for that taxation year.

(2) The tax roll must be in paper or electronic form and must contain the following information:
(a) a description of the property as it appears on the assessment roll;
(b) the name and address of the assessed person entered on the assessment roll with respect to the property;
(c) the name and address of every person entered on the assessment roll with respect to the property;
(d) the assessed value by classification of the land and the improvements as it appears in the assessment roll, exclusive of exemptions, if any;
(e) the amount of taxes levied on the property in the current taxation year under this Policy; and
(f) the amount of any unpaid taxes from previous taxation years.

(3) The tax administrator may use the certified assessment roll as the tax roll by adding the following information to the assessment roll:
(a) the amount of taxes levied on the property in the current taxation year under this Policy; and
(b) the amount of any unpaid taxes from previous taxation years.

(4) An error, omission or misdescription on the tax roll does not invalidate any other information on the tax roll or the tax roll itself.

Tax Notices
11. (1) On or before May 31 of each taxation year, the tax administrator must mail a Tax Notice which shows the date of mailing and is in substantially the same form as shown in Schedule II to:
(a) each assessed person of taxable property under this Policy, and
(b) each person whose name appears on the tax roll in respect of property, to the address of the person as shown on the tax roll.

(2) The tax administrator must enter on the tax roll the date of mailing of a Tax Notice.

(3) The mailing of the Tax Notice by the tax administrator constitutes a statement of and demand for payment of the taxes.

(4) If a number of properties are assessed in the name of the same assessed person, any number of those properties may be included in one Tax Notice.

(5) Where the assessed person of a charge on taxable property gives notice to the assessor of the charge under the Assessment Policy and the assessor enters the assessed person's name on the assessment roll, the tax administrator must mail a copy of all Tax Notices issued in respect of the property to the assessed person of the charge during the duration of the charge.

(6) The Tax Notice and the Assessment Notice required under the Assessment Policy relating to the same property may be mailed together or may be combined into one notice.

(7) If it is discovered that there is an error, omission or misdescription in any of the information shown on a Tax Notice, the tax administrator may prepare and mail an amended Tax Notice to every person to whom a Tax Notice must be sent under section 11(1).

(8) A Tax Notice is deemed to have been received by a taxpayer on the seventh day after the day it is mailed.

Amendments to Tax Roll and Tax Notices
12. (1) Where the assessment roll has been amended in accordance with the Assessment Policy the tax administrator must amend the tax roll and mail an amended Tax Notice to every person to whom a Tax Notice must be sent under section 11(1).

(2) If it is discovered that there is an error, omission or misdescription in any of the information shown on the tax roll:
(a) the tax administrator may correct the tax roll for the current taxation year only; and
(b) on correcting the tax roll, the tax administrator must mail an amended Tax Notice to every person to whom a Tax Notice must be sent under section 11(1).

(3) If it is discovered that no tax has been imposed on a taxable property, the settlement council may by bylaw impose the tax for the current year on that property and the tax administrator must prepare and send a Tax Notice to every person to whom a Tax Notice must be sent under section 11(1).

(4) If a settlement council by bylaw establishes that property that was exempt from taxation becomes taxable or taxable property becomes exempt from taxation, the tax administrator must correct the tax roll and mail an amended Tax Notice to every person to whom a Tax Notice must be sent under section 11(1).

(5) Where the taxable status of a property changes, the tax imposed in respect of it must be prorated so that the tax is payable only for the part of the year in which the property, or part of it, is not exempt.

(6) The tax administrator must record on the tax roll the date of every entry made under this section.

(7) Where an amended Tax Notice indicates a reduction in the amount of taxes owing, the tax administrator must forthwith refund any excess taxes that have been paid, in accordance with section 6.

(8) Where an amended Tax Notice indicates an increase in the amount of taxes owing, the taxes are due and payable on the date of mailing of the amended Tax Notice; however, the taxpayer must be given thirty (30) days to pay those taxes, and a penalty and interest must not be added in that period.

Supplementary Taxes
13. (1) Where a supplementary assessment roll is prepared under the Assessment Policy, the tax administrator must prepare a supplementary tax roll, which may be a continuation of the supplementary assessment roll or may be separate from that roll.

(2) A supplementary tax roll must show:
- (a) the same information that is required to be shown on the tax roll; and
- (b) the date for determining the tax that may be imposed on the improvements.

(3) The tax administrator must, no later than December 31 in the taxation year in which a supplementary tax roll is prepared,
- (a) prepare supplementary Tax Notices for all taxable property shown on the supplementary tax roll; and
- (b) send the supplementary Tax Notices to every person to whom a Tax Notice must be sent under section 11(1).

(4) The duties imposed on the tax administrator with respect to the tax roll and the provisions of this Policy relating to tax rolls, so far as they are applicable, apply to supplementary tax rolls.

(5) A supplementary Tax Notice is deemed to have been received by a taxpayer on the seventh day after the day it is mailed.

Subdivision
14. (1) If a property is subdivided, by lease or other legal instrument, before a Tax Notice is mailed in respect of that property, the tax administrator may
- (a) apportion the taxes payable in that year among the properties created by the subdivision in the same proportions as taxes would have been payable in

respect of the properties had the subdivision occurred on or before the assessment roll was certified under the Assessment Policy; and

(b) on making an apportionment under subsection (a), record the apportionment on the tax roll in the manner that the tax administrator considers necessary.

(2) Taxes apportioned to a property under subsection (1) are the taxes payable in respect of the property in the year for which they are apportioned.

(3) The assessor must provide the tax administrator with the assessed values necessary to calculate the proportions of taxes referred to in subsection (1).

Requests for Information
15. (1) The tax administrator may, for any purpose related to the administration of this Policy, deliver a Request for Information containing the information set out in Schedule I, to an assessed person or a person who has disposed of property, and that person must provide the requested information to the tax administrator within fourteen (14) days or a longer period as specified in the notice.

(2) The tax administrator is not bound by the information provided under subsection (1).

PART VIII - PAYMENT RECEIPTS AND TAX CERTIFICATES

Receipts for Payments
16. On receipt of a payment of taxes, the tax administrator must issue a receipt to the taxpayer which confirms the date of receipt of the payment and must enter the receipt number on the tax roll opposite the property for which the taxes are paid.

Tax Certificate
17. (1) On receipt of a written request and payment of the fee, if any has been set pursuant to subsection (2), the tax administrator must issue a Tax Certificate that is in substantially the same form as shown in Schedule III showing whether taxes have been paid in respect of a property and if not, the amount of taxes outstanding.

(2) A settlement council may set a fee for the issuance of a Tax Certificate annually in its property tax bylaw.

PART IX - PENALTIES AND INTEREST

Interest
18. If all or any portion of taxes remains unpaid after June 30 of the year in which they are levied, the unpaid portion accrues interest at one percent (1%) per month or portion of month, compounded monthly, until paid or recovered, and the accrued interest is, for all purposes, deemed to be part of the taxes.

Application of Payments
19. Payments for taxes must be credited by the tax administrator first, to taxes, including penalties and interest, from previous taxation years, second, to a penalty added in the current taxation year, and third, to unpaid taxes, including interest, for the current taxation year.

PART X - COMPLAINTS

Review by Settlement Council

20. (1) A taxpayer who has been issued a Tax Notice may submit a complaint to the settlement council of the taxing settlement regarding the particulars of the Tax Notice received by that taxpayer. A complaint regarding a Tax Notice must be based on one or more of the following grounds:

(a) a computation error in applying the tax rate to the assessed value of the property; or

(b) the taxpayer's exemption status under Part V of this Policy.

(2) The rate of taxation passed by a settlement council pursuant to this Policy is not subject to challenge or complaint.

(3) Any complaint regarding the description of the property, the assessed value of property, a person's status as an assessed person, or the assessment class of property must be initiated in a separate application in accordance with the Assessment Policy.

(4) A complaint based on one or more of the grounds identified in subsection (1) must:

(a) be made in writing by the complainant and include reasons in support of the complaint;

(b) include the supporting documentation, if any, that the complainant wishes to rely on;

(c) contain the complainant's address for service; and

(d) be delivered to the settlement council within thirty (30) days from the date of delivery of the Tax Notice subject to the complaint.

(5) Delivery of a complaint to a settlement council must be made personally or by mail. Personal delivery must be made by leaving the document with the individual apparently in charge, at the time of delivery, of the main administrative office of the taxing settlement. The complaint is considered to have been received by a settlement council on the date of personal delivery, or if sent by mail on the seventh day after the day it is mailed.

(6) All rights to a review hearing and appeal respecting a complaint under this Policy are extinguished in the event that a complainant does not fulfill all of the criteria listed in subsection (4).

(7) Complaints that comply with all of the criteria in subsection (4) shall be scheduled for a review hearing by a settlement council. Notice of the date and time of the review hearing shall be sent to the complainant at his or her address for service at least 14 days prior to the date of the review hearing. A complainant or an agent authorized in writing by the complainant is entitled to attend the review hearing and may make oral submissions regarding the complaint.

(8) After a review hearing has occurred, a settlement council shall render a decision regarding the complaint within 90 days of the review hearing date. A notice of the decision must be sent to the complainant at his or her address for service.

(9) A complainant who has received a notice of decision from a settlement council pursuant to a complaint made under this section 20 may appeal the decision to the Appeal Tribunal.

PART XI - APPEALS TO APPEAL TRIBUNAL

Appeals
21. An appeal of a settlement council's decision made pursuant to section 20 regarding a complaint must be made to the Appeal Tribunal.

22. In such an appeal, the Appeal Tribunal is bound by the terms of this Policy.

Notice of Appeal
23. (1) An appeal to the Appeal Tribunal must be based on one or more grounds raised in the original complaint and limited to one or more of the following grounds:
- (a) a computation error in applying the tax rate to the assessed value of the property; or
- (b) the complainant's exemption status under Part V of this Policy.

(2) A notice of appeal to the Appeal Tribunal must:
- (a) be made in writing;
- (b) contain the complainant's address for service;
- (c) explain the details of the appeal and the reasons for it;
- (d) include the supporting documentation, if any, that the complainant wishes to rely on; and
- (e) be filed within 30 days of the date of delivery to the complainant of the settlement council's decision.

(3) Where an appeal is commenced with respect to a Tax Notice amended under section 12, the appeal must be confined to the amendment.

(4) Where an appeal is commenced with respect to a supplementary Tax Notice under section 13, the appeal must be confined to the supplementary Tax Notice.

Effect of Decision
24. (1) Where the Appeal Tribunal orders a change to a taxation roll or Taxation Notice, the tax administrator shall make the change immediately and the tax for the year shall be adjusted accordingly, if required.

(2) Notwithstanding subsection (1), if a settlement council appeals the Appeal Tribunal's decision, then no changes shall be made to the taxation roll or Taxation Notice until final determination of the matter.

(3) In the event that the tax paid by a complainant was more or less than what would have been payable at the revised taxation roll or Taxation Notice, interest is payable on the difference at the Bank of Canada prime rate in place at the time of the Appeal Tribunal's decision.

PART XII - COLLECTION AND ENFORCEMENT

Recovery of Unpaid Taxes
25. (1) The liability referred to in section 5(2) is a debt recoverable by the settlement in a court of competent jurisdiction and may be recovered by any other method authorized in this Policy, and unless otherwise provided, the use of one method does not prevent seeking recovery by one or more other methods.

(2) A copy of the Tax Notice that refers to the taxes payable by a person, certified as a true copy by the tax administrator, is evidence of that person's debt for the taxes.

(3) Where the tax administrator has reasonable grounds to believe that a debtor intends to remove his or her personal property from the settlement, or intends to dismantle or remove his or her improvements on the settlement, or take any other actions that may prevent or impede the collection of unpaid taxes owing under this Policy, the tax administrator may apply to a court of competent jurisdiction for a remedy, notwithstanding that the time for payment of taxes has not yet expired.

(4) Before commencing enforcement proceedings under Parts XIII or XIV, the tax administrator must request and receive authorization from the settlement council by resolution.

Tax Arrears Certificate
26. (1) Before taking any enforcement measures or commencing any enforcement proceedings under Parts XIII or XIV and subject to subsection (2), the tax administrator must issue a Tax Arrears Certificate that is in substantially in the same form as shown in Schedule IV and deliver it to every person named on the tax roll in respect of that property.

(2) A Tax Arrears Certificate must not be issued for at least six (6) months after the day on which the taxes became due.

Delivery of Documents in Enforcement Proceedings
27. (1) This section applies to this Part and Parts XIII and XIV.

(2) Delivery of a document may be made personally or by sending it by registered mail.

(3) Personal delivery of a document is made
- (a) in the case of an individual, by leaving the document with that individual or with an individual at least eighteen (18) years of age residing at that individual's place of residence;
- (b) in the case of a settlement, by leaving the document with the individual apparently in charge, at the time of delivery, of the main administrative office of the settlement; and
- (c) in the case of a corporation, by leaving the document with the individual apparently in charge, at the time of delivery, of the registered office or with an officer or director of the corporation.

(4) A document is considered to have been delivered
- (a) if delivered personally, on the day that personal delivery is made; and

(b) if sent by registered mail, on the seventh day after the day it is mailed.

(5) Copies of notices must be delivered

(a) where the notice is in respect of taxable property, to all persons named on the tax roll in respect of that taxable property; and

(b) where the notice is in respect of personal property, to all holders of security interests in the personal property registered under the laws of the Province.

PART XIII - SEIZURE AND ASSIGNMENT OF TAXABLE PROPERTY

Seizure and Assignment of Taxable Property

28. (1) Where taxes remain unpaid more than nine (9) months after a Tax Arrears Certificate is issued, the tax administrator may levy the amount of unpaid taxes by way of the seizure and assignment of the taxable property.

(2) Before proceeding under subsection (1), the tax administrator must serve a Notice of Seizure and Assignment of Taxable Property on the debtor and deliver a copy to any other person with an interest in the taxable property.

(3) Not less than six (6) months after a Notice of Seizure and Assignment of Taxable Property is delivered to the debtor, the tax administrator may sell the right to an assignment of the taxable property by public tender or auction.

(4) The settlement council must, by resolution, prescribe the method of public tender or auction, including the conditions that are attached to the acceptance of an offer.

Upset Price

29. (1) The tax administrator must set an upset price for the sale of the right to an assignment of the taxable property that is not less than the total amount of the taxes payable on the taxable property, calculated to the end of the redemption period set out in section 32(1), plus five percent (5%) of that total.

(2) The upset price is the lowest price for which the taxable property may be sold.

Notice of Sale of a Right to Assignment of Taxable Property

30. (1) A Notice of Sale of a Right to Assignment of Taxable Property must be:

(a) published in a newspaper that is circulated in the area closest by road to the location of the taxable property at least once in each of the four (4) weeks preceding the date of the public tender or auction; and

(b) posted in a prominent place on the settlement not less than ten (10) days before the date of the public tender or auction.

(2) The tax administrator must conduct a public auction or tender at the time and place set out in the Notice of Sale of a Right to Assignment of Taxable Property, unless it is necessary to adjourn the public tender or auction, in which case a further notice must be published in the manner set out in subsection (1).

(3) If no bid is equal to or greater than the upset price, the settlement council is deemed to have purchased the right to an assignment of the taxable property for the amount of the upset price.

Subsisting Rights

31. When taxable property is sold by public tender or auction, all rights in it held by the assessed person of that property or a holder of a charge immediately cease to exist, except as follows:

- (a) the taxable property is subject to redemption as provided in section 32(1);
- (b) the right to possession of the taxable property is not affected during the time allowed for redemption, subject, however, to
  - (i) impeachment for waste, and
  - (ii) the right of the highest bidder to enter on the taxable property to maintain it in a proper condition and to prevent waste;
- (c) an easement, restrictive covenant, building scheme or right-of-way registered against the interest in land subsists; and
- (d) during the period allowed for redemption, an action may be brought in a court of competent jurisdiction to have the sale of the right to an assignment of the taxable property set aside and declared invalid.

Redemption Period

32. (1) At any time within three (3) months after the holding of a public tender or auction in respect of taxable property, the debtor may redeem the taxable property by paying to the settlement the amount of the upset price plus three percent (3%).

(2) On redemption of the taxable property under subsection (1),

- (a) if the right to an assignment was sold to a bidder, the settlement council must, without delay, repay to that bidder the amount of the bid; and
- (b) no assignment of taxable property must be made until the end of the redemption period provided for in subsection (1).

(3) Subject to a redemption under subsection (2), at the end of the redemption period, the settlement council must assign the taxable property to the highest bidder in the public tender or auction, or to itself as the deemed purchaser in accordance with section 30(3).

Assignment of Taxable Property

33. (1) Taxable property must not be assigned to any person or entity that would not have been entitled under the Act to obtain the interest or right in relation to the taxable property.

(2) The tax administrator must register an assignment of any property assigned in accordance with this Policy in every registry in which the taxable property is registered at the time of the assignment.

(3) An assignment under section 32(4) operates:

- (a) as a transfer of the taxable property to the bidder from the debtor, without an attestation or proof of execution; and
- (b) to extinguish all the right, title and interest of every previous assessed person of that taxable property, or those claiming under a previous assessed person of that property, and all claims, demands, payments, charges, liens, judgments, mortgages and encumbrances of every type, and whether or not registered, subsisting at the time the assignment is registered under subsection (2), except an easement, restrictive covenant, building scheme or right-of-way registered against the interest in land.

(4) Upon assignment under section 32(4), any remaining debt of the debtor with respect to the taxable property is extinguished.

Proceeds of Sale

34. (1) At the end of the redemption period, the proceeds from the sale of a right to assignment of taxable property must be paid

(a) first, to the settlement council, and

(b) second, to any other holders of registered interests in the property in order of their priority at law,

and any remaining proceeds must be paid to the debtor.

(2) If claim to the surplus is made by another person and such claim is contested, or if the tax administrator is uncertain who is entitled to such surplus, the tax administrator must retain such money until the rights of the parties have been determined.

Resale by the Settlement Council

35. (1) If the right to assignment of taxable property is purchased by the settlement council under section 30(3), the tax administrator may, during the redemption period, sell the assignment of the taxable property to any person for not less than the upset price and the purchaser is thereafter considered the bidder under this Part.

(2) A sale under subsection (1) does not affect the period for or the right of redemption by the debtor as provided in this Policy.

PART XIV - DISCONTINUANCE OF SERVICES

Discontinuance of Services

36. (1) Subject to this section, the settlement council may by resolution discontinue any service it provides to the taxable property of a debtor if:

(a) revenues from this Policy or any property taxation bylaw enacted by the settlement council are used to provide that service to taxpayers; and

(b) taxes remain unpaid by a debtor more than thirty (30) days after a Tax Arrears Certificate was delivered to the debtor.

(2) At least thirty (30) days before discontinuing any service, the tax administrator must deliver to the debtor and to any person with an interest in the taxable property a Notice of Discontinuance of Services.

(3) The settlement council must not discontinue:

(a) fire protection or police services to the taxable property of a debtor;

(b) water or garbage collection services to taxable property that is a residential dwelling; or

(c) electrical or natural gas services to taxable property that is a residential dwelling during the period from November 1 in any year to March 31 in the following year.

PART XV - GENERAL PROVISIONS

Disclosure of Information
37. (1) The tax administrator, the assessor, a member of the Appeal Tribunal, the settlement council or any other person who has custody or control of information or records obtained or created under this Policy must not disclose the information or records except

(a) in the course of administering this Policy or performing functions under it;
(b) in proceedings before the Appeal Tribunal, a court of law or pursuant to a court order; or
(c) in accordance with subsection (2).

(2) The tax administrator may disclose to the agent of an assessed person confidential information relating to the property if the disclosure has been authorized in writing by the assessed person.

(3) An agent must not use information disclosed under subsection (2) except for the purposes authorized by the assessed person in writing referred to in that section.

Disclosure for Research Purposes
38. Notwithstanding section 37,

(a) the tax administrator may disclose information and records to a third party for research purposes, including statistical research, provided the information and records do not contain information in an individually identifiable form or business information in an identifiable form;
(b) a settlement council may disclose information and records to a third party for research purposes, including statistical research, in an identifiable form where:
  (i) the research cannot reasonably be accomplished unless the information is provided in an identifiable form, and
  (ii) the third party has signed an agreement with a settlement council to comply with a settlement council's requirements respecting the use, confidentiality and security of the information.

Validity
39. Nothing done under this Policy shall be deemed void or invalid, nor shall the liability of any person to pay tax or any other amount under this Policy be affected by

(a) an error or omission in a valuation or a valuation based solely on information in the hands of an assessor or the tax administrator;
(b) an error or omission in a tax roll, Tax Notice, or any notice given under this Policy; or
(c) a failure of the settlement council, tax administrator or the assessor to do something within the required time.

Limitation on Proceedings
40. (1) No person may commence an action or proceeding for the return of money paid to a settlement pursuant to this Policy after the expiration of six (6) months from the date of receipt of the money by the settlement.

(2) If a person fails to start an action or proceeding within the time limit prescribed in this section, then money paid to the settlement shall be deemed to have been voluntarily paid and not recoverable nor returnable.

Notices

41. (1) Where in this Policy a notice is required to be given by mail or where the method of giving the notice is not otherwise specified, it must be given:

(a) by mail to the recipient's ordinary mailing address or the address for the recipient shown on the tax roll;
(b) where the recipient's address is unknown, by posting a copy of the notice in a conspicuous place on the recipient's property; or
(c) by personal delivery or courier to the recipient or to the recipient's ordinary mailing address or the address for the recipient shown on the tax roll.

(2) Except where otherwise provided in this Policy, a notice:

(a) given by mail is deemed received on the seventh day after the day it is posted;
(b) posted on property is deemed received on the second day after it is posted; and
(c) given by personal delivery is deemed received upon delivery.

Electronic Delivery of Notices

42. (1) Where this Policy or a bylaw made under this Policy requires a notice to be given by mail, the notice may be sent by electronic means if:

(a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail address, website or other electronic address to the sender for that purpose, and
(b) it is possible to make a copy of the document from the electronic transmission.

(2) In the absence of evidence to the contrary, a document sent by electronic means in accordance with subsection (1) is deemed received on the date that it is sent.

(3) For greater certainty, a reference in this Policy to a mailing address is to be interpreted as including an electronic address referred to in subsection (1)(a) if the requirements of subsection (1) are met.

Interpretation

43. (1) The provisions of this Policy are severable, and where any provision of this Policy is for any reason held to be invalid by a decision of a court of competent jurisdiction, the invalid portion must be severed from the remainder of this Policy and the decision that it is invalid must not affect the validity of the remaining portions of this Policy.

(2) Where a provision in this Policy is expressed in the present tense, the provision applies to the circumstances as they arise.

(3) Words in this Policy that are in the singular include the plural, and words in the plural include the singular.

(4) This Policy must be construed as being remedial and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.

(5) Unless specified to the contrary, reference in this Policy to a law, statute or enactment is a reference to the law, statute or enactment of the Province as it exists from time to time and includes any regulations made under the law, statute or enactment.

(6) Headings form no part of this Policy and must be construed as being inserted for convenience of reference only.

Repeal and Transition
44. The *Business Property Contributions Policy* is hereby repealed in its entirety.

45. The repeal of the *Business Property Contributions Policy* does not affect anything done, incurred or acquired under the authority of the *Business Property Contributions Policy* before its repeal. For greater clarity, any right incurred or proceeding commenced under the authority of the *Business Property Contributions Policy* before its repeal remains valid and shall continue to be governed by the provisions of the *Business Property Contributions Policy.*

Force and Effect
46. This Policy comes into force and effect on the later of the day it is approved by the Minister of Indigenous Relations and the day after it is approved and passed by the General Council.

THIS POLICY IS HEREBY DULY ENACTED by the General Council on the 14th day of November, 2018 at Edmonton, in the Province of Alberta.

Metis Settlements General Council

Per:

____
Gerald Cunningham, President

Per:

____
Dorothy Anderson, Elected Secretary

SCHEDULE I - REQUEST FOR INFORMATION BY TAX ADMINISTRATOR

FOR THE ____________________ METIS SETTLEMENT

TO: ____

ADDRESS: ____

DESCRIPTION OF INTEREST IN LAND: _________________________________

____

DATE OF REQUEST: ____

PURSUANT to section ___ of the *Metis Settlements General Council Property Taxation Policy 2018,* I request that you provide to me, in writing, no later than ___________ **[Note: must be a date that is at least fourteen (14) days from the date of request]**, the following information relating to the above-noted interest in land:

(1)

(2)

(3)

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

SCHEDULE II - TAX NOTICE

Date of mailing: ________________

TO: ____

ADDRESS: ____

DESCRIPTION OF INTEREST IN LAND: _________________________________

____

PURSUANT to the provisions of the *Metis Settlements General Council Property Taxation Policy 2018*, taxes in the amount of ________ dollars ($____) are hereby levied with respect to the above-noted interest in land.

All taxes are due and payable on or before ___________. Payments for unpaid taxes, and interest are past due and must be paid immediately.

Payments must be made at the offices of the ______________________ Metis Settlement, located at [address] during normal business hours. Payment must be by cheque, money order or cash.

Taxes that are not paid by ________ shall incur interest in accordance with the *Metis Settlements General Council Property Taxation Policy 2018*.

The name(s) and address(es) of the person(s) liable to pay the taxes is (are) as follows:

____

____

Assessed value:	$___________
Taxes (current year):	$___________
Unpaid taxes (previous years)	$___________
Interest:	$___________
Penalties:	$___________
Costs: [insert details]	$___________
Total Payable	$___________

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

SCHEDULE III - TAX CERTIFICATE

In respect of the interest in land described as: ______________________________ and pursuant to the *Metis Settlements General Council Property Taxation Policy 2018*, I hereby certify as follows:

That all taxes due and payable in respect of the above-referenced interest in land have been paid as of the date of this certificate.

OR

That unpaid taxes, including penalties, interest and costs, in the amount of _________ dollars ($_____) are due and owing on the above-referenced interest in land as of the date of this certificate.

The following persons are jointly and severally liable for all unpaid taxes:

____

____

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

SCHEDULE IV - TAX ARREARS CERTIFICATE

In respect of the interest in land described as: ________________________ and pursuant to the *Metis Settlements General Council Property Taxation Policy 2018*, I hereby certify as follows:

As of the date set out below, that taxes, penalties and interest are unpaid in respect of the above-referenced interest in land, as follows:

Taxes:	$__________
Penalties:	$__________
Interest:	$__________
Total unpaid tax debt:	$__________

The total unpaid tax debt is due and payable immediately.

The unpaid tax debt accrues interest each day that it remains unpaid, at a rate of ________ percent (__%) per month, compounded monthly.

Payments must be made at the offices of the ________ Metis Settlement, located at [address] during normal business hours. Payment must be by cheque, money order or cash.

The following persons are jointly and severally liable for the total unpaid tax debt:

____

____

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

SCHEDULE V - NOTICE OF SEIZURE AND ASSIGNMENT OF TAXABLE PROPERTY

TO: ____

(the "debtor")

ADDRESS: ____

DESCRIPTION OF INTEREST IN LAND: ______________________

(the "taxable property")

____

TAKE NOTICE that taxes, penalties and interest in the amount of _________ dollars ($_____) remain unpaid and are due and owing in respect of the taxable property.

AND TAKE NOTICE that a Tax Arrears Certificate dated ________ was delivered to you in respect of these unpaid taxes.

AND TAKE NOTICE that failure to pay the full amount of the unpaid tax debt within six (6) months after service of this Notice may result in the tax administrator, pursuant to section ___ of the *Metis Settlements General Council Property Taxation Policy 2018*, seizing and selling a right to an assignment of the taxable property by public tender [auction] as follows:

1. The public tender [auction], including the conditions that are attached to the acceptance of an offer, shall be conducted in accordance with the procedures prescribed by the Council of the __________ Metis Settlement, a copy of which may be obtained from the tax administrator.

2. The tax administrator will
   (a) publish a Notice of Sale of a Right to Assignment of Taxable Property in the ___________ newspaper at least once in each of the four (4) weeks preceding the date of the sale; and
   (b) post the Notice of Sale of a Right to Assignment of Taxable Property in a prominent place on the settlement not less than ten (10) days preceding the date of the sale.

3. The Notice of Sale of a Right to Assignment of Taxable Property will set out the upset price for the right to assignment of the taxable property and any conditions attached to the acceptance of a bid.

4. The upset price will be not less than the total amount of the taxes, penalties and interest payable, calculated to the end of the redemption period, plus five percent (5%) of that total. The upset price is the lowest price for which the right to assignment of the taxable property will be sold.

5. The tax administrator will conduct the public tender [auction] at the time and place set out in the Notice of Sale of a Right to Assignment of Taxable Property, unless it is necessary to adjourn in which case a further notice will be published.

6. If at the public tender [auction] there is no bid that is equal to or greater than the upset price, the settlement will be deemed to have purchased the right to an assignment of the taxable property for the amount of the upset price.

7. The debtor may redeem the right to an assignment of the taxable property after the sale by paying to the Metis Settlement the amount of the upset price plus three percent (3%), any time within three (3) months after the holding of the public tender [auction] in respect of the taxable property (hereinafter referred to as the “redemption period”). Where the right to an assignment is redeemed, the Metis Settlement will, without delay, repay to the bidder the amount of the bid.

8. A sale of a right to an assignment of taxable property by public tender [auction] is not complete, and no assignment of the taxable property will be made, until the expiration of the redemption period. If the right to an assignment of the taxable property is not redeemed within the redemption period, then on the expiration of the redemption period, the Metis Settlement will assign the taxable property to the highest bidder or to itself as the deemed purchaser, as applicable. The taxable property will not be assigned to any person or entity who would not have been capable under the *Metis Settlements Act* of obtaining the interest or right constituting the taxable property.

9. The tax administrator will register the assignment of the taxable property in every registry in which the taxable property is registered at the time of the assignment.

10. An assignment of the taxable property operates

(a) as a transfer to the bidder or the Metis Settlement, as the case may be, from the debtor of the taxable property, without an attestation or proof of execution, and

(b) to extinguish all the right, title and interest of every previous assessed person of that taxable property, or those claiming under a previous assessed person of that taxable property, and all claims, demands, payments, charges, liens, judgments, mortgages and encumbrances of every type, and whether or not registered, subsisting at the time the assignment is registered, except an easement, restrictive covenant, building scheme or right-of-way registered against the interest in land.

11. Upon assignment of the taxable property, the debtor will be required to immediately vacate the taxable property, and any rights or interests held by the debtor in the taxable property, including the improvements, will be transferred in full to the purchaser.

12. The proceeds of sale of the taxable property will be paid first to the Metis Settlement, then to any other holders of registered interests in the taxable property in order of their priority at law. Any moneys in excess of these amounts will be paid to the debtor in accordance with the *Metis Settlements General Council Property Taxation Policy 2018*.

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

SCHEDULE VI - NOTICE OF SALE OF A RIGHT TO ASSIGNMENT OF TAXABLE PROPERTY

TO: ____

(the "debtor")

ADDRESS: ____

DESCRIPTION OF INTEREST IN LAND: ______________________________

(the "taxable property")

____

TAKE NOTICE that a Notice of Seizure and Assignment of Taxable Property was given in respect of the taxable property on ___________, 20___.

AND TAKE NOTICE that unpaid taxes, including penalties and interest, in the amount of ________ dollars ($______), remain unpaid and are due and owing in respect of the taxable property.

AND TAKE NOTICE that a sale of the right to assignment of the taxable property will be conducted by public tender [auction] for unpaid taxes, penalties and interest owed to the _____________________ Metis Settlement.

The public tender [auction] will take place on:

__________________, 20___ at ______ o'clock at

_______________________________ [location].

The tax administrator will conduct the public tender [auction] at the above time and place unless it is necessary to adjourn in which case a further notice will be published.

AND TAKE NOTICE that:

1. The upset price for the taxable property is: _________ dollars ($_____). The upset price is the lowest price for which the taxable property will be sold.

2. The public tender [auction], including the conditions that are attached to the acceptance of an offer, shall be conducted in accordance with the procedures prescribed by the Council of the ___________ Metis Settlement as set out in this notice.

3. If at the public tender [auction] there is no bid that is equal to or greater than the upset price, the Metis Settlement will be deemed to have purchased the right to an assignment of the taxable property for the amount of the upset price.

4. The debtor may redeem the right to an assignment of the taxable property by paying to the settlement the amount of the upset price plus three percent (3%), any time within three (3) months after the holding of the public tender [auction] in respect of the taxable property (referred to as the "redemption period"). Where the right to an assignment is redeemed, the settlement will, without delay, repay to the bidder the amount of the bid.

5. A sale of a right to an assignment of taxable property by public tender [auction] is not complete, and no assignment of the taxable property will be made, until the expiration of the redemption period. If the right to an assignment of the taxable property is not redeemed within the redemption period, then on the expiration of the redemption period, the settlement will assign the taxable property to the highest bidder or to itself as the deemed purchaser, as applicable. The taxable property will not be assigned to any person or entity who would not have been capable under the *Metis Settlements Act* of obtaining the interest or right constituting the taxable property.

6. The tax administrator will register an assignment of the taxable property in every registry in which the taxable property is registered at the time of the assignment.

7. An assignment of the taxable property operates
   (a) as a transfer to the bidder from the debtor of the taxable property, without an attestation or proof of execution, and
   (b) to extinguish all the right, title and interest of every previous assessed person of that taxable property, or those claiming under a previous assessed person of that taxable property, and all claims, demands, payments, charges, liens, judgments, mortgages and encumbrances of every type, and whether or not registered, subsisting at the time the assignment is registered, except an easement, restrictive covenant, building scheme or right-of-way registered against the interest in land.

8. Upon assignment of the taxable property, the debtor will be required to immediately vacate the taxable property, and any rights or interests held by the debtor in the taxable property, including the improvements, will be transferred in full to the purchaser.

9. The proceeds of sale of the taxable property will be paid first to settlement, then to any other holders of registered interests in the taxable property in order of their priority at law. Any moneys in excess of these amounts will be paid to the debtor in accordance with the *Metis Settlements General Council Property Taxation Policy 2018*.

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

SCHEDULE VII - NOTICE OF DISCONTINUANCE OF SERVICES

TO:____

ADDRESS:____

DESCRIPTION OF INTEREST IN LAND: _________________________________

____

TAKE NOTICE that taxes, penalties and interest in the amount of ________ dollars ($_____) remain unpaid and are due and owing in respect of the taxable property.

AND TAKE NOTICE that a Tax Arrears Certificate dated ___________ was delivered to you in respect of these unpaid taxes.

AND TAKE NOTICE that where a debtor fails to pay all unpaid taxes within thirty (30) days of the issuance of a Tax Arrears Certificate, the tax administrator may discontinue services that it provides to the taxable property of a debtor, pursuant to the *Metis Settlements General Council Property Taxation Policy 2018*.

AND TAKE NOTICE that if the taxes are not paid in full on or before ___________, being thirty (30) days from the date of issuance of this notice, the following services will be discontinued:

[list services to be discontinued]

____

Tax Administrator for the ________ Metis Settlement

Dated: _____________, 20___.

Safety Codes Council

Corporate Accreditation

(Safety Codes Act)

Pursuant to Section 28 of the *Safety Codes Act* it is hereby ordered that

Agrium Inc., Accreditation No. C000142, Order No. 0443

Having satisfied the terms and conditions of the Safety Codes Council is authorized to administer the *Safety Codes Act* including applicable Alberta amendments and regulations for **Electrical**

Consisting of all parts of the Canadian Electrical Code Part 1 and Alberta Electrical Utility Code as amended from time to time.

Accredited Date: December 10, 1995 Issued Date: April 8, 2019.

Municipal Accreditation

(Safety Codes Act)

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

City of Fort Saskatchewan, Accreditation No. M000286, Order No. 1287

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Building**

Consisting of all parts of the Alberta Building Code, and National Energy Code of Canada for Buildings.

Accredited Date: October 27, 2000 Issued Date: March 25, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

City of Fort Saskatchewan, Accreditation No. M000286, Order No. 1286

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Electrical**

Consisting of all parts of the Canadian Electrical Code Part 1.

Accredited Date: November 1, 2000 Issued Date: March 25, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

City of Fort Saskatchewan, Accreditation No. M000286, Order No. 79842-001

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* for **Fire**

Consisting of all parts of the Alberta Fire Code except for those requirements pertaining to the installation, alteration, and removal of the storage tank systems for flammable liquids and combustible liquids.

Fire Investigation (cause and circumstance)
Fire Prevention Programs (optional)

Accredited Date: February 12, 2001 Issued Date: March 25, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

City of Fort Saskatchewan, Accreditation No. M000286, Order No. 1285

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Gas**

Consisting of all parts of the Natural Gas and Propane Installations Code, Propane Storage and Handling Code, and Compressed Natural Gas Fuelling Stations Installation Code. Excluding the Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles and the Natural Gas for Vehicles Installation Code - Part 1, Compressed Natural Gas.

Accredited Date: October 27, 2000 Issued Date: March 25, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

City of Fort Saskatchewan, Accreditation No. M000286, Order No. 1284

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Plumbing**

Consisting of all parts of the National Plumbing Code of Canada, and Alberta Private Sewage Systems Standard of Practice.

Accredited Date: October 27, 2000 Issued Date: March 25, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

Town of Calmar, Accreditation No. M000416, Order No. 0635

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Building**

Consisting of all parts of the Alberta Building Code, and National Energy Code of Canada for Buildings as amended from time to time.

Accredited Date: December 22, 1995 Issued Date: April 9, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

Town of Calmar, Accreditation No. M000416, Order No. 1328

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Electrical**

Consisting of all parts of the Canadian Electrical Code Part 1 as amended from time to time.

Accredited Date: March 8, 2001 Issued Date: April 9, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

Town of Calmar, Accreditation No. M000416, Order No. 1327

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Gas**

Consisting of all parts of the Natural Gas and Propane Installations Code, Propane Storage and Handling Code, and Compressed Natural Gas Fuelling Stations Installation Code as amended from time to time. Excluding the Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles and the Natural Gas for Vehicles Installation Code - Part 1, Compressed Natural Gas.

Accredited Date: March 8, 2001 Issued Date: April 9, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

Town of Calmar, Accreditation No. M000416, Order No. 1326

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Plumbing**

Consisting of all parts of the National Plumbing Code of Canada, and Alberta Private Sewage Systems Standard of Practice as amended from time to time.

Accredited Date: March 8, 2001 Issued Date: April 9, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

Town of Olds, Accreditation No. M000167, Order No. 2844

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Building**

Consisting of all parts of the Alberta Building Code, and National Energy Code of Canada for Buildings as amended from time to time.

Accredited Date: December 21, 1995 Issued Date: April 9, 2019.

Pursuant to Section 26 of the *Safety Codes Act* it is hereby ordered that

Town of Olds, Accreditation No. M000167, Order No. 0593

Having satisfied the terms and conditions of the Safety Codes Council is authorized to provide services under the *Safety Codes Act* including applicable Alberta amendments and regulations for **Fire**

Consisting of all parts of the Alberta Fire Code, and Fire Investigation (cause and circumstance) as amended from time to time.

Accredited Date: December 21, 1995 Issued Date: April 9, 2019.

Transportation

Hosting Expenses Exceeding $600.00
For the period April 1, 2017 to December 31, 2018

Function: 2017 Alberta Transportation Peace Region Consultant Start-Up meeting
Purpose: Alberta Transportation meetings with consultants to discuss policies, processes and changes.
Date(s): April 23 and 24, 2017
Amount: $3,754.52
Location: Peace River, AB

Function: Federal-Provincial joint road/bridge construction funding announcement
Purpose: To announce $765 million in funding for projects across Alberta.
Date(s): April 20, 2017
Amount: $790.34
Location: Nisku, AB

Function: Water Grant Announcement
Purpose: To announce more than $147 million in provincial grants for clean water projects.
Date(s): May 29, 2017
Amount: $1,974.82
Location: Sylvan Lake, AB

Function: Strategic Transportation Infrastructure Program Grants Announcement
Purpose: To announce more than $37 million in provincial grants for local municipal infrastructure projects.
Date(s): May 31, 2017
Amount: $2,495.94
Location: Sylvan Lake, AB

Function: New transit projects funding announcement
Purpose: $733,000 to support new transit projects with funding coming from the federal Public Transit Infrastructure Fund, the provincial Green Transit Incentives Program and municipal funds.
Date(s): July 5, 2017
Amount: $1,334.24
Location: Leduc, AB

Function: Calgary Green Line LRT funding announcement
Purpose: To announce Green Line LRT funding.
Date(s): July 6, 2017
Amount: $938.03
Location: Calgary, AB

Function: Peace River Bridge funding announcement
Purpose: To announce joint federal/provincial grants for new Peace River Bridge.
Date(s): July 7, 2017
Amount: $1,114.64
Location: Peace River, AB

Function: South West Calgary Ring Road
Purpose: To announce the official naming of the South West Calgary Ring Road to Tsuut'ina Trail.
Date(s): July 10, 2017
Amount: $3,029.33
Location: Calgary, AB

Function: West Calgary Ring Road – Engineering Meetings
Purpose: Meetings are held with outside parties to answer engineering concerns and review the agreement and its development plan.
Date(s): October 10, 11 and 12, 2018
Amount: $2,053.59
Location: Edmonton, AB

Function: West Calgary Ring Road – Agreement Meetings
Purpose: Meetings are held with outside parties to answer engineering concerns and review the agreement and its development plan.
Date(s): November 7,8 and 9, 2018
Amount: $1,912.20
Location: Edmonton, AB

ADVERTISEMENTS

Irrigation District Notice

Enforcement Return

(Irrigation Districts Act)

Bow River Irrigation District

Notice is hereby given that the Justice of the Court of Queen's Bench of the Judicial District of Lethbridge has fixed Tuesday, May 14, 2019 as the day on which at 2:00 p.m., the court will sit in the Court House, Lethbridge, Alberta, for the purpose of confirmation of the Rate Enforcement Return of the Bow River Irrigation District for the year 2017 and prior years.

Dated at Vauxhall, Alberta, March 22, 2019.

7-8 Richard Phillips, P.Eng., *General Manager*.

Raymond Irrigation District

Notice is hereby given that the Office of the Trial Co-ordinator, Alberta Justice, has fixed Tuesday, May 14, 2019 as the day on which at 2:00 p.m., a Judge will sit at the Court House, 320 - 4 Street South, Lethbridge, Alberta, for the purpose of confirmation of the 2019 Enforcement Return of the Raymond Irrigation District covering charges assessed for the year 2017 and subsequent penalties and GST charges.

Dated at Raymond, Alberta, March 22, 2019.

7-8 Gordon ZoBell, *District Manager*.

Notice of Creditors' Meeting

(Companies Act)

Fort McMurray Tourism Ltd.

Notice is hereby given that, under the voluntary wind-up provisions of the Companies Act (of Alberta), Fort McMurray Tourism Ltd. will hold a meeting of its creditors in the Boardroom of the law office of Flett Manning Moore, located at 9703 Franklin Avenue, Fort McMurray, Alberta, T9H 2K1 on the 7th day of May 2019 at 10:00 a.m.

Dated at Fort McMurray, Alberta, April 15, 2019.

Suzanne E. Manning, *Barrister & Solicitor.*

Public Sale of Land

(Municipal Government Act)

Athabasca County

Notice is hereby given that, under the provisions of the Municipal Government Act, Athabasca County will offer for sale, by public auction, in the Athabasca County Administration Building, 3602 - 48 Avenue, Alberta, on Friday, June 28, 2019, at 10:00 a.m., the following lands:

Lot	Block	Plan	Legal Address	Acres	C. of T.
1	-	8221348	SE-18-65-22-4	1.67	192065463
11	1	0729498	NW-32-65-18-4	2.37	132418430
12	1	1623CA	SW-31-64-22-4	-	062276595
13	1	1623CA	SW-31-64-22-4	-	062276596
5	4	25HW	SE-24-62-24-4	-	062207759+1
6	4	25HW	SE-24-62-24-4	-	062207759
18	2	7820731	SE-16-65-22-4	9.69	872087394
2	1	0820295	NE-4-68-24-4	9.88	082236816
20	2	1130BN	SW-15-65-22-4	-	152013577
1	2	0940855	NW-23-66-24-4	1.94	152172425
13	1	1225133	SE-25-65-19-4	5.63	162090274
-	-	-	SW-29-65-22-4	104.17	162197692
2	1	0624719	NE-28-64-24-4	64.99	112362986
-	-	-	SW-2-67-19-4	86.70	092286651

Each parcel will be offered for sale subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

Conditions: Sale subject to approval of sales agreement.

Athabasca County may, after the public auction, become the owner of any parcel of land not sold at the public auction.

Terms: Cash of certified cheque. 10% deposit and balance within 30 days of date of public auction. GST may apply.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Athabasca, Alberta, April 15, 2019.

Brian Pysyk, *Director of Corporate Services*.

Municipal District of Bighorn No. 8

Notice is hereby given that, under the provisions of the Municipal Government Act, the Municipal District of Bighorn No. 8 will offer for sale, by public auction, in the Administration Office of the Municipal District of Bighorn No. 8, 2 Heart Mountain Drive, Exshaw, Alberta, on Wednesday, June 26, 2019, at 10:00 a.m., the following lands:

Lot	**Block**	**Plan**	**Legal Address**	**LINC**	**C. of T.**	**Reserve Bid**
32	4	0612837	NE-1-27-7-5	0031840887	071023321+1	$208,000

Each parcel will be offered for sale, subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

The land is being offered for sale on an “as is, where is” basis, and the Municipal District of Bighorn No. 8 makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, or the developability of the subject land for any intended use by the Purchaser. No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any parcel. No terms and conditions of sale will be considered other than those specified by the Municipal District of Bighorn No. 8. No further information is available at the auction regarding the lands to be sold.

The Municipal District of Bighorn No. 8 may, after the public auction, become the owner of any parcel of land not sold at the public auction.

Terms: Cash or certified cheque; 10% deposit (non-refundable) on the day of the auction with the balance due within 30 calendar days of the auction.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Exshaw, Alberta, April 16, 2019.

Shaina Tutt, *Director of Finance*.

Town of Calmar

Notice is hereby given that, under the provisions of the Municipal Government Act, the Town of Calmar will offer for sale, by public auction, at the Calmar Town Council Chambers located at 4901 – 50 Avenue in Calmar, Alberta, on Thursday, June 27, 2019, at 9:30 a.m., the following lands:

Lot	**Block**	**Plan**	**C. of T.**
4A	2	802 1511	172082970
30	3	812 2892	102116957

Each parcel will be offered for sale, subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

The land is being offered for sale on an “as is, where is” basis, and the Town of Calmar makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, vacant possession, or the developability of the subject land for any intended use by the Purchaser. No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any parcel. No terms and conditions of sale will be considered other than those specified by the Town of Calmar.

The Town of Calmar may, after the public auction, become the owner of any parcel of land not sold at the public auction.

Terms: Cash, money order, or certified cheque.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Calmar, Alberta, April 30, 2019.

Kathy Rodberg, *Chief Administrative Officer*.

Town of Didsbury

Notice is hereby given that, under the provisions of the Municipal Government Act, the Town of Didsbury will offer for sale, by public auction, in the Town Office, 1606 – 14 Street, Didsbury, Alberta, on Thursday, June 13, 2019, at 2:00 p.m., the following lands:

Lot	Block	Plan	C. of T.
26	8	0013276	161165284
7	11	7810047	901080312
1	3	0810268	141172238

Each parcel will be offered for sale, subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

The land is being offered for sale on an "as is, where is" basis, and the Town of Didsbury makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, vacant possession, or the developability of the subject land for any intended use by the Purchaser. No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any parcel. No terms and conditions of sale will be considered other than those specified by the Town of Didsbury. No further information is available at the auction regarding the lands to be sold.

The Town of Didsbury may, after the public auction, become the owner of any parcel of land not sold at the public auction.

Terms: Cash or certified cheque; 5% non-refundable deposit; balance to be received by the Town within 15 business days.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Didsbury, Alberta, April 8, 2019.

Harold Northcott, *Chief Administrative Officer*.

Town of Milk River

Notice is hereby given that, under the provisions of the Municipal Government Act, the Town of Milk River will offer for sale, by closed sealed bids with a public opening, at the Town Office, 240 Main Street, Milk River, Alberta, on Monday, June 10, 2019, at 2:00 p.m., the following lands:

Lot	Block	Plan	LINC	C. of T.	Reserve Bid
Southerly 13 Feet of Lot 5 and all of Lot 6	1	2227Y	0020158812	981393052	$33,740

Each parcel will be offered for sale, subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

The land is being offered for sale on an “as is, where is” basis, and the Town of Milk River makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, or the developability of the subject land for any intended use by the Purchaser.

All bids must be submitted in a sealed envelope and will be opened in public. No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any parcel. No terms and conditions of sale will be considered other than those specified by the Town of Milk River. No further information is available regarding the lands to be sold.

The Town of Milk River may, after the opening of the bids (close of the public auction), become the owner of any parcel of land not sold at the public auction.

Terms: 10% down payment at bid opening (public auction date); balance within 30 days of the public auction (opening date). All payments must be made by cash or certified cheque.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Milk River, Alberta, April 9, 2019.

Ryan Leuzinger, *Chief Administrative Officer.*

Village of Warburg

Notice is hereby given that, under the provisions of the Municipal Government Act, the Village of Warburg will offer for sale, by public auction, to be held at the Village Office, Warburg, Alberta, on Thursday, June 27, 2019, at 2:00 p.m., the following lands:

Lot	**Block**	**Plan**	**Address**	**C. of T.**
14	6	597HW	5147 53 St.	122108308
4	7	1746HW	5016 53 Ave.	152153743
1	8	2182MC	5204 50 St.	902163175
6	13	772-0263	4711 55 Ave.	152244790

Each parcel will be offered for sale subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

The Village of Warburg may, after the public auction, become the owner of any parcel of land not sold at the public auction.

Terms: 10% cash deposit and balance payable by cash or certified cheque within 48 hours.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Warburg, Alberta, April 15, 2019.

Chris Pankewitz, *Municipal Administrator*.

Village of Warner

Notice is hereby given that, under the provisions of the Municipal Government Act, the Village of Warner will offer for sale, by public auction, at the Municipal Office, 210 3rd Avenue, Warner, Alberta, on Wednesday, June 19, 2019, at 1:30 p.m., the following lands:

Lot	**Block**	**Plan**	**C. of T.**	**Reserve Bid**
7	25	9111550	991366579 +1	$132,000
S60’ 1-4	6	4068N	091339135	$49,000
11-12	16	4068N	111091097	$57,800
5-8	29	6442Y	051124115	$92,000
3	40	0812807	111001827	$7,820

Each parcel will be offered for sale, subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.

The land is being offered for sale on an “as is, where is” basis, and the Village of Warner makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, vacant possession or the developability of the subject land for any intended use by the Purchaser.

No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any parcel. No terms and conditions of sale will be considered other than those specified by the Village of Warner. No further information is available at the auction regarding the lands to be sold.

The Village of Warner may, after the public auction, become the owner of any parcel of land not sold at the public auction.

Terms: 10% deposit by way of cash, bank draft or certified cheque, made payable to the Village of Warner, on the date of the public auction, with final payment to be received within 30 days, by cash, bank draft or certified cheque made payable to the Village of Warner. Failure to pay the balance within the specified time will result in the forfeit of the deposit, and the Village will consider the next bid. The above properties may be subject to GST.

Redemption may be effected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at Warner, Alberta, March 20, 2019.

Jon Hood, *Chief Administrative Officer*.

NOTICE TO ADVERTISERS

The Alberta Gazette is issued twice monthly, on the 15th and last day.

Notices and advertisements must be received ten full working days before the date of the issue in which the notices are to appear. Submissions received after that date will appear in the next regular issue.

Notices and advertisements should be typed or written legibly and on a sheet separate from the covering letter. An electronic submission by email or disk is preferred. Email submissions may be sent to the Editor of The Alberta Gazette at albertagazette@gov.ab.ca. The number of insertions required should be specified and the names of all signing officers typed or printed. Please include name and complete contact information of the individual submitting the notice or advertisement.

Proof of Publication: Statutory Declaration is available upon request.

A copy of the page containing the notice or advertisement will be emailed to each advertiser without charge.

The dates for publication of Tax Sale Notices in The Alberta Gazette are as follows:

Issue of	*Earliest date on which sale may be held*
May 15	June 25
May 31	July 11
June 15	July 26
June 29	August 9
July 15	August 25
July 31	September 10
August 15	September 25
August 31	October 11
September 14	October 25
September 30	November 10
October 15	November 25
October 31	December 11

The charges to be paid for the publication of notices, advertisements and documents in The Alberta Gazette are:

Notices, advertisements and documents that are **5 or fewer pages**............................$20.00
Notices, advertisements and documents that are **more than 5 pages** $30.00

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