

BILL

No. 194

An Act to amend *The Cities Act*, *The Municipalities Act* and *The Northern Municipalities Act* and to make consequential amendments to other Acts

(Assented to _____)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART 1

Short Title

Short title

1-1 This Act may be cited as *The Miscellaneous Municipal Statutes Amendment Act, 2019*.

PART 2

The Cities Act

SS 2002, c C-11.1 amended

2-1 *The Cities Act* is amended in the manner set forth in this Part.

Section 2 amended

2-2(1) Subsection 2(1) is amended:

(a) in clause (a) in the portion preceding subclause (i) by adding “, subject to the regulations,” after “means”;

(b) by adding the following clause after clause (g):

“(g.1) ‘**contact information**’ means:

(i) the name of a person; and

(ii) whichever of the following options is considered by the sender to be most likely to effect receipt by the intended recipient:

(A) mailing address;

(B) street or civic address;

(C) email address;

(D) telephone number;

(E) fax number;

(F) any other prescribed option”;

(c) by repealing clause (m);

(d) in clause (p) in the portion preceding subclause (i) by adding “, subject to the regulations” after “means”;

(e) by adding the following clause after clause (q):

“(q.1) ‘**mail**’ includes, subject to the regulations, email or other means of electronic transmission, if the email address has been provided by the recipient and that person has consented to receive mail electronically, except where this Act requires a document to be sent by registered mail or served pursuant to section 347”;

(f) by adding the following clause after clause (cc.1):

“(cc.11) ‘**resource production equipment**’ means resource production equipment as defined in the regulations”;

(g) in clause (ff) by adding “, subject to the regulations,” after “means”;

(h) in clause (gg) by adding “, subject to the regulations,” after “includes”;

(i) in clause (hh.1) in the portion preceding subclause (i) by adding “, subject to the regulations,” after “means”; and

(j) by adding the following clause after clause (ii):

“(jj) ‘**voter**’ means a voter as defined in *The Local Government Election Act, 2015*”.

(2) Subsection 2(2) is repealed and following substituted:

“(2) If this Act requires notice of a matter to be published in a newspaper, ‘**newspaper**’ means:

(a) a publication or local periodical that is distributed at least weekly in a city or area that is affected by the matter, but does not include a publication primarily for advertising or an advertising supplement to or contained in a newspaper; or

(b) if a council is of the opinion that the requirements to publish in a newspaper are not feasible or practicable, the council may decide on other means of publishing or otherwise providing notice, including publishing the notice on a website or by other electronic means as long as the notice is given within the same period and with the same frequency required by this Act and the means are set out in the public notice policy adopted by council bylaw”.

Section 8 amended

2-3(1) The following clauses are added after clause 8(2)(k):

“(l) requiring dispute resolution or mediation before:

(i) an owner or occupant appeals an order to remedy bylaw contraventions; or

(ii) the city remedies contraventions of bylaws;

“(m) providing for the sending of notices of contravention of bylaws, including parking offences, by ordinary mail, email or other means and determining the address to which notices are sent”.

(2) Clause 8(4)(a) is repealed and the following substituted:

“(a) administering and regulating the activity and enforcing the regulatory scheme for which the licence, inspection, permit or approval is required”.

Section 42 amended

2-4(1) Subclause 42(1)(b)(ii) is amended by striking out “electors” and substituting “voters”.

(2) Subsection 42(3) is amended:

(a) in the portion preceding clause (a) by striking out “an elector” and substituting “a voter”;

(b) in clause (a) by striking out “electors” and substituting “voters”; and

(c) in subclause (b)(i) by striking out “elector” and substituting “voter”.

Section 43 amended

2-5 The following subsection is added after subsection 43(9):

“(9.1) The council shall ensure that minutes of the public meeting are recorded and made available for public inspection in accordance with section 91”.

New section 43.2

2-6 The following section is added after section 43.1:

“Municipal districts

43.2(1) Subject to the regulations, the council of a city together with the council of at least 1 other municipality may apply to the minister to incorporate as a municipal district.

(2) Section 51.1 of *The Municipalities Act* applies with any necessary modification to any application pursuant to subsection (1)”.

Section 49 amended

2-7 Subsection 49(1) is amended by adding “and in any other manner the minister considers appropriate” after “Part I of the Gazette”.

Section 55.1 amended

2-8 Clause 55.1(2)(e) is repealed and the following substituted:

“(e) the procedures for calling a special meeting of the council pursuant to section 97, including designating a person to call a special meeting if the position of clerk is vacant or the clerk is unable to act”.

Section 56 amended

2-9 Subsection 56(2) is repealed.

Section 59 amended

2-10 The following subsection is added after subsection 59(4):

“(5) Notwithstanding clause 2(1)(y), a municipal wards commission may authorize the use of population data other than the latest census taken pursuant to the *Statistics Act* (Canada) for the purposes of determining ward boundaries and provide its reasons in the report filed pursuant to section 61”.

Section 85 amended

2-11 The following subsection is added after subsection 85(3):

“(4) The clerk may witness any oaths or affirmations required pursuant to this Act”.

Section 87 amended

2-12 Subsection 87(1) is repealed and the following substituted:

“(1) The appointment of a person to the position of commissioner, manager or clerk may be made, suspended or revoked only if the majority of the council vote to do so.

“(1.1) The appointment of a person to the position of full-time city solicitor may be made, suspended or revoked only if the majority of council vote to do so, unless otherwise delegated by council”.

New section 87.1

2-13 The following section is added after section 87:

“Protection from reprisal

87.1(1) In this section:

(a) **‘reprisal’** means any of the following measures taken against a city employee who has acted pursuant to any of clauses (2)(a) to (c):

(i) a dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work or reprimand;

(ii) any measure, other than one mentioned in subclause (i), that adversely affects the city employee’s employment or working conditions or hinders the performance of that person’s duties;

(iii) a threat to take any of the measures mentioned in subclause (i) or (ii);

(iv) a discriminatory action as defined in *The Saskatchewan Employment Act*;

(b) **‘wrongdoing’** includes any of the following committed by a council, member of council or city employee:

(i) a contravention of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(ii) a contravention of any city bylaw or policy;

(iii) a contravention of the code of ethics, rules of conduct or procedures applicable to every member of council imposed by this and any other Act and by council;

(iv) an act or omission that creates:

(A) substantial and specific danger to life, health or safety of persons; or

(B) a substantial and specific danger to the environment;

(v) gross mismanagement of public funds or a public asset;

(vi) knowingly directing or counselling someone to commit a contravention, an act or an omission mentioned in subclauses (i) to (v).

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- (2) No person shall take or direct a reprisal against a city employee because the employee has, in good faith:
- (a) sought advice about making a disclosure of wrongdoing from or made a disclosure of wrongdoing to any of the following:
 - (i) any person designated by the city in its employee code of conduct or otherwise to deal with the disclosure of wrongdoing;
 - (ii) any person directly or indirectly responsible for supervising the employee;
 - (iii) the Ombudsman, pursuant to and in accordance with *The Ombudsman Act, 2012*;
 - (iv) any person responsible for enforcing employment standards or occupational health and safety standards in accordance with *The Saskatchewan Employment Act*;
 - (v) any person designated by the minister pursuant to this or any Act with respect to a matter within that person's power to review, audit, inspect or investigate;
 - (vi) any person whose duties include enforcement of another Act or Act of the Parliament of Canada with respect to an offence within that person's power to investigate;
 - (vii) any member of a police or law enforcement agency with respect to an offence within its power to investigate;
 - (b) participated in a review or investigation of a wrongdoing; or
 - (c) declined to participate in a wrongdoing.
- (3) Every person who contravenes subsection (2) is guilty of an offence and liable on summary conviction to:
- (a) in the case of an individual, a fine of not more than \$10,000, or imprisonment for not more than 1 year, or to both;
 - (b) in the case of a corporation, a fine of not more than \$25,000; and
 - (c) in the case of a continuing offence by an individual or a corporation, to a maximum daily fine of not more than \$2,500 for each day or part of a day during which the offence continues.
- (4) A member of council who knowingly votes for a resolution authorizing any of the measures or actions in clause (1)(a) is subject to liability in accordance with clause (3)(a).
- (5) Nothing in this section shall be construed to limit any right that any city employee may have pursuant to this Act, any other Act or city bylaws or policies:
- (a) to disclose information about wrongdoing to a lawful authority; or
 - (b) to seek protection from reprisal as a result of the disclosure.
- (6) Nothing in this section shall be construed to provide protection for a city employee for that person's wrongdoing, and that person is subject to appropriate disciplinary action".

Section 90 amended

2-14(1) Subsection 90(2) is amended:

- (a) **by repealing clause (c);**
- (b) **by striking out “and” after clause (d);**
- (c) **by adding “and” after clause (e); and**
- (d) **by adding the following clause after clause (e):**
“f) any other prescribed document”.

(2) The following subsection is added after subsection 90(2):

“(2.1) Tax and assessment rolls must be preserved for a minimum of 10 years or any longer period established by a council in its records retention and disposal schedule”.

(3) The following subsection is added after subsection 90(3):

“(4) The Lieutenant Governor in Council may make regulations prescribing additional types of documents to be included in subsection (2)”.

Section 91 amended

2-15(1) Subsection 91(1) is amended:

- (a) **by adding the following clause after clause (b.1):**

“(b.2) the financial statements of any controlled corporation prepared in accordance with section 158 and an auditor’s report prepared in accordance with subsection 160(1)”;

- (b) **by striking out “and” after clause (d);**
- (c) **by adding “and” after clause (e); and**
- (d) **by adding the following clause after clause (e):**
“f) any other prescribed report or document”.

(2) The following subsection is added after subsection 91(2):

“(2.1) The city may provide additional means of public inspection of the documents mentioned in subsection (1), including posting the documents on the city’s website”.

(3) The following subsection is added after subsection 91(3):

“(4) The Lieutenant Governor in Council may make regulations prescribing additional types of documents to be included in subsection (1)”.

Section 98 amended

2-16(1) Clause 98(1)(c) is amended by striking out “by ordinary mail, telephone or voice mail, fax or email at the number or address specified by the member” and substituting “according to the member’s contact information”.

(2) Subsection 98(2) is amended by adding “ or on the city’s website” after “municipal office”.

Section 101 amended

2-17 Clause 101(1)(q) is repealed and the following substituted:

“(q) its power to appoint, suspend or dismiss a commissioner, manager or clerk”.

Section 103 amended

2-18 Subsection 103(1) is amended by striking out “electors” and substituting “voters”.

Section 104 amended

2-19(1) Subsection 104(1) is amended by striking out “electors” and substituting “voters”.

(2) Subsection 104(2) is amended by striking out “electors” and substituting “voters”.

Section 106 amended

2-20(1) Subsection 106(1) is amended:

(a) by striking out “electors” wherever it appears and in each case substituting “voters”; and

(b) by adding “pursuant to this Act” after “jurisdiction of the council”.

(2) Subsection 106(2) is amended by striking out “electors” and substituting “voters”.

(3) Subsection 106(3) is amended by striking out “Electors” and substituting “Voters”.

Section 107 amended

2-21(1) Clause 107(1)(b) is amended by striking out “an elector” and substituting “a voter”.

(2) Clause 107(2)(c) is amended by striking out “an elector” and substituting “a voter”.

Section 110 amended

2-22(1) Subsection 110(1) is amended by striking out “electors” and substituting “voters”.

(2) Subsection 110(2) is amended:

(a) in clause (a) by striking out “electors” and substituting “voters”; and

(b) in clause (b) by striking out “electors” and substituting “voters”.

Section 111 amended

2-23(1) Subsection 111(1) is amended by striking out “electors” and substituting “voters”.

(2) Subsection 111(2) is amended by striking out “electors” and substituting “voters”.

Section 112.1 amended

2-24 Section 112.1 is amended in the portion preceding clause (a) by striking out “electors” and substituting “voters”.

Section 113 amended

2-25(1) Subsection 113(1) is amended:

(a) in the portion preceding clause (a) by striking out “electors” and substituting “voters”; and

(b) in clause (a) by striking out “electors” wherever it appears and in each case substituting “voters”.

(2) Subsection 113(3) is amended by striking out “electors” and substituting “voters”.

Section 114.1 amended

2-26 Subsection 114.1(1) is amended by striking out “the private interests of a closely connected person” and substituting “to improperly further another person’s private interests”.

Section 115 amended

2-27 Subsection 115(2) is amended:

(a) in clause (a) by striking out “an elector” and substituting “a voter”; and

(b) in clause (i) by striking out “electors” wherever it appears and in each case substituting “voters”.

Section 117 amended

2-28 Subsection 117(4) is amended in the portion preceding clause (a) by striking out “an elector” and substituting “a voter”.

Section 117.2 amended

2-29 Section 117.2 is amended by striking out “the private interests of a closely connected person” and substituting “to improperly further another person’s private interests”.

Section 120 amended

2-30 Subsection 120(1) is amended:

(a) by repealing clause (c) and substituting the following:

“(c) is absent from all regular council meetings held during any period of 3 consecutive months during which at least 2 meetings of the council have been held, starting with the date that the first meeting is missed, unless the absence is authorized by:

(i) a resolution of council; or

(ii) a leave of absence policy adopted by council”; **and**

(b) in clause (e):

(i) by striking out “or” after subclause (i); and

(ii) by adding the following after subclause (ii):

“(iii) subsection 87.1(2); or

“(iv) subsection 162(5)”.

Section 121 amended

2-31(1) Subsection 121(2) is repealed and the following substituted:

“(2) If a member of council who is disqualified does not resign as required by subsection (1):

- (a) the council may, by resolution, declare the person’s office vacant; or
- (b) the council or a voter may apply to a judge of the court in the prescribed manner for:
 - (i) an order determining whether the person was never qualified to be or has ceased to be qualified to remain a member of council; or
 - (ii) an order declaring the person to be disqualified from council.

“(2.1) The person whose office has been declared vacant pursuant to clause (2)(a) may, within 10 business days after the passing of the resolution by council, appeal the resolution to a judge of the court in the prescribed manner.

“(2.2) After hearing an application pursuant to subsection (2.1) and any evidence, either oral or by affidavit, that is required, the judge of the court may:

- (a) confirm the disqualification resolution; or
- (b) set aside the disqualification resolution”.

(2) Subsection 121(3) is amended by striking out “An elector” and substituting “A voter”.

(3) Subsection 121(6) is amended in the portion preceding clause (a) by striking out “pursuant to this section” and substituting “pursuant to clause (2)(b)”.

Section 124 amended

2-32 Subsection 124(2) is amended in the portion preceding clause (a) by striking out “an elector” and substituting “a voter”.

Section 134 amended

2-33 Clause 134(2)(b) is repealed and the following substituted:

“(b) the rate or rates of interest or how the rate of interest is calculated, the term, and the terms of repayment of the borrowing”.

Section 135 amended

2-34 Subsection 135(3) is amended by striking out “electors” and substituting “voters”.

Section 156 amended

2-35 Subclause 156(2)(b)(v) is amended by striking out “the employees,”.

Section 160 amended

2-36 Subsections 160(2), (2.1) and (3) are repealed and the following substituted:

“(2) An auditor appointed pursuant to subsection 159(2) shall report to the council on the annual financial statements of a controlled corporation in accordance with the form and the reporting standards recommended from time to time by Chartered Professional Accountants of Canada.

“(3) An auditor mentioned in subsection (1) or (2) shall:

(a) separately report to the council any improper or unauthorized transaction or non-compliance with this or another Act or a bylaw that is noted during the course of an audit; and

(b) provide a copy of any report made pursuant to clause (a) to the minister.

“(4) The council may require any further examination and report from an auditor mentioned in subsection (1) or (2)”.

Section 162 amended

2-37(1) Clause 162(4)(b) is amended by striking out “an elector” and substituting “a voter”.

(2) Subsection 162(5) is repealed and the following substituted:

“(5) A person who is found liable pursuant to subsection (1) or (2) is, in addition to any other penalty or consequence, disqualified from holding office in any city or in any other municipality for 12 years after the date of the finding of liability”.

Section 163 amended

2-38 Section 163 is amended:

(a) in clause (g) by adding “, subject to the regulations,” after “means”;

(b) in clause (h) by adding “, subject to the regulations,” after “means”; and

(c) by repealing clause (i).

Section 165 amended

2-39 Subsection 165(3.2) is amended by adding “and subject to the regulations” after “The Assessment Management Agency Act”.

Section 169 amended

2-40 Subsection 169(4) is amended by striking out “September 1” and substituting “July 1”.

Section 171 amended

2-41 Subsection 171(7.1) is amended by adding “, unless the statement is requested by the assessor” after “to that subsection”.

Section 175 amended

2-42 Clause 175(b) is repealed and the following substituted:

“(b) the contact information of the assessed person or, if that information is not known and cannot be ascertained after reasonable inquiry, a note stating that the contact information is not known”.

Section 177 amended

2-43(1) Subsection 177(2.1) is amended by striking out “house trailer” wherever it appears and in each case substituting “trailer or mobile home”.

(2) Subsection 177(3) is amended by striking out “a mailing address” and substituting “that person’s contact information”.

Section 185 amended

2-44 Subsection 185(1) is amended:

(a) by adding the following clause after clause (c):

“(c.1) the contact information of the city to enable an assessed person to discuss the notice of assessment or potential appeal in accordance with clause 197(6)(d)”; **and**

(b) by repealing clause (d) and substituting the following:

“(d) the contact information for the secretary of the board of revision and any other designated officer with whom an appeal is required to be filed;

“(d.1) any appeal fees set by a city pursuant to section 196”.

Section 186 amended

2-45(1) Subsection 186(3) is repealed and the following substituted:

“(3) A copy of the assessment notice may be sent according to the contact information of the assessed person using the option determined by that person”.

(2) Subsection 186(4) is amended by striking out “If the mailing address of the assessed person and the assessed property is” and substituting “If the contact information of the assessed person and the mailing address of the assessed property are”.

Section 192 amended

2-46(1) Subsection 192(2) is repealed and the following substituted:

“(2) The following persons are not eligible to sit as members of the board of revision for the city:

(a) a member of council;

(b) a member of the board of education of any school division situated wholly or partly in the city or in which the city is wholly or partly situated;

(c) an employee of the city”.

(2) Subsection 192(12) is repealed and the following substituted:

“(12) The Lieutenant Governor in Council may make regulations:

(a) prescribing rules of procedure for boards of revision; and

(b) respecting the appointment of and training and qualifications for members of boards of revision”.

Section 193 amended

2-47 The following subsection is added after subsection 193(2):

“(3) The Lieutenant Governor in Council may make regulations respecting the appointment, remuneration and duties of secretaries of boards of revision”.

New section 193.1

2-48 The following section is added after section 193:

“Provincial Registrar of boards of revision

193.1(1) The Lieutenant Governor in Council may establish an Office of the Registrar for the purposes of receiving, reviewing and processing appeals for any boards of revision.

(2) The minister may provide the Office of the Registrar with any supplies and the services of any employees under the minister’s administration that the minister considers to be required for the Office of the Registrar to carry out the powers and duties of that office.

(3) The minister may delegate any duties of a secretary of a board of revision to the Office of the Registrar.

(4) The Lieutenant Governor in Council may make regulations respecting:

(a) the powers and duties of the Office of the Registrar; and

(b) rules and procedures for receiving, reviewing and processing appeals pursuant to subsection (1)”.

Section 194 amended

2-49 The following subsection is added after subsection 194(4):

“(5) The Lieutenant Governor in Council may make regulations respecting district boards of revision or other boards of revision”.

New section 194.1

2-50 The following section is added after section 194:

“Provincially established boards of revision

194.1(1) Notwithstanding section 192, the Lieutenant Governor in Council may, by order, appoint persons to serve on boards of revision established for the purposes of Divisions 5 and 6 of this Part.

(2) Subject to the regulations, the persons appointed and boards established pursuant to this section have all the powers, duties and responsibilities given to a board of revision pursuant to this Part.

(3) A board of revision established pursuant to this section is deemed to be the appointed board of revision pursuant to section 192 for the purposes of hearing appeals:

(a) for any cities located in the prescribed areas;

(b) of any prescribed type;

(c) for any city whose board of revision does not meet the prescribed requirements pursuant to subsection 192(12); or

(d) for any prescribed purpose, circumstance or situation.

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- (4) The minister may provide any clerical or other assistance to boards of revision established pursuant to this section that the boards may require.
- (5) Every member of a board of revision appointed pursuant to subsection (1):
- (a) must meet the prescribed qualifications and complete the prescribed training;
 - (b) holds office at pleasure for a term not exceeding the prescribed term and until a successor is appointed; and
 - (c) is eligible for reappointment.
- (6) A chairperson and a vice-chairperson must be designated, and the maximum rates for the remuneration and reimbursement for expenses that may be paid to members must be established in the order that appoints a member of the board of revision.
- (7) The Lieutenant Governor in Council may make regulations for the purposes of the boards of revision established pursuant to this section respecting the following:
- (a) the area within which members appointed pursuant to this section may hear and decide appeals;
 - (b) the training, qualifications and terms of office of members;
 - (c) the manner in which remuneration for members and other expenses of boards are to be paid and funded;
 - (d) reporting requirements;
 - (e) the appointment of a secretary;
 - (f) rules and procedures for receiving, hearing, notifying, determining and deciding appeals;
 - (g) the application, modification or suspension of any provision of this Part;
 - (h) the circumstances in which a city may appoint and utilize its own board of revision; and
 - (i) any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this section”.

Section 195 amended

2-51(1) Clause 195(1)(b) is amended by striking out “of \$250,000 or less” and substituting “of the prescribed amount or less”.

(2) The following subsection is added after subsection 195(5):

“(6) The Lieutenant Governor in Council may make regulations for the purposes of subsection (1) prescribing different amounts for different classes of properties”.

Section 197 amended

2-52 Clause 197(6)(e) is amended by striking out “mailing address and fax number” wherever it appears and in each case substituting “contact information”.

Section 198 amended

2-53 The following subsection is added after subsection 198(1.1):

“(1.2) Subsection (1.1) does not apply to an amended assessment notice or a notice of supplementary assessment”.

Section 199 amended

2-54(1) Subsection 199(3) is repealed and the following substituted:

“(3) The secretary of the board of revision may serve the notice pursuant to this section:

- (a) according to the contact information included in the notice of appeal; or
- (b) if no contact information is included in the notice of appeal, at the address entered on the assessment roll”.

(2) Clause 199(6)(a) is repealed and the following substituted:

“(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal”.

Section 204 amended

2-55 The following subsection is added after subsection 204(2):

“(2.1) If the owner of the property is not a party to the appeal, that owner must be notified of the agreement pursuant to subsection (1)”.

Section 208 amended

2-56(1) Clause 208(2)(b) is repealed and the following substituted:

“(b) producing a transcript by a court reporting service of a recording or part of a recording”.

(2) Clause 208(4)(a) is repealed and the following substituted:

“(a) pursuant to this section, a transcript of the recording or part of a recording is made by a court reporting service of a hearing or of part of a hearing or of the testimony of a witness testifying at a hearing”.

Section 210 amended

2-57(1) Subsection 210(4) is amended by striking out “A board” and substituting “Unless otherwise provided for in the regulations, a board”.

(2) Subsection 210(5) is amended in the portion preceding clause (a) by striking out “registered” and substituting “ordinary”.

(3) The following subsection is added after subsection 210(5):

“(6) If the owner of the property is not a party to the appeal, that owner must be notified of the decision pursuant to subsection (1)”.

Section 211 amended

2-58 Section 211 is amended by striking out “The assessor shall” and substituting “Subject to section 227 and the regulations, the assessor shall”.

Section 217 amended

2-59(1) Clause 217(3)(b) is amended by striking out “or neglect” and substituting “, neglect or refusal”.

(2) Clause 217(5.1)(a) is repealed and the following substituted:

“(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal”.

Section 220 amended

2-60 Section 220 is amended:

(a) by renumbering it as subsection 220(1);

(b) by repealing clause (1)(f) and substituting the following:

“(f) a transcript by a court reporting service, if any, of the proceedings before the board of revision”; **and**

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

“(2) The board of revision shall provide the materials mentioned in clauses (1)(a) to (f) to the appeal board within 14 days after the request of the appeal board”.

Section 226 amended

2-61(1) The following subsection is added after subsection 226(4):

“(4.1) If the owner of the property is not a party to the appeal, that owner must be notified of the decision pursuant to subsection (1)”.

(2) Subsection 226(5) is amended by striking out “If” and substituting “Subject to the regulations, if”.

Section 227 amended

2-62 Subsection 227(1) is amended by striking out “A decision” and substituting “Subject to the regulations, a decision”.

Section 234 amended

2-63 Clause 234(1)(b) is amended by striking out “name and mailing address” and substituting “contact information”.

Section 238 amended

2-64(1) Subsection 238(1) is repealed and the following substituted:

“(1) A copy of the tax notice may be sent by any means to the contact information of the taxpayer”.

(2) Subsection 238(2) is amended by striking out “If the mailing address of the taxpayer and the taxable property” and substituting “If the contact information of the taxpayer”.

Section 243 amended

2-65(1) Subsection 243(1) is repealed and the following substituted:

“(1) If a person pays only a portion of the taxes owing with respect to a property, a designated officer shall apportion the amount paid between the city and any other taxing authorities on whose behalf the city levies taxes in shares corresponding to their respective tax rates, applied in the following order:

- (a) payment of any arrears of taxes due with respect to the property;
- (b) payment of current taxes owed on the property”.

(2) The following subsection is added after subsection 243(2):

“(3) The Lieutenant Governor in Council may make regulations for the purpose of applying this section in combination with other sections in this Division respecting the payment of taxes and arrears of taxes”.

New section 243.1

2-66 The following section is added after section 243:

“City to pay proportionate amount to other taxing authorities

243.1(1) Notwithstanding any other Act or law, if a city receives from any person a payment equal to all or any part of taxes owing with respect to a property, whether as a prepayment, an advance or an amount based on tax indebtedness or any other factor, the city shall pay to all other taxing authorities on whose behalf it levies taxes the proportionate amount that the city is obligated to pay to the other taxing authorities as if the taxes had been paid.

(2) Subsection (1) and section 243 apply whether or not the payment received by the city is characterized as a tax payment”.

Section 255 amended

2-67 Clauses 255(6)(b) and (c) are repealed and the following substituted:

“(b) respecting mill rate factors, minimum tax and base tax that may be set by a council;

“(c) prescribing classes of assessment of property for which a mill rate factor, minimum tax and base tax may not be set”.

New section 260.1

2-68 The following section is added after section 260:

“Mill rate survey return

260.1(1) A city shall submit to the minister information respecting tax tools, tax rates and any other taxes and rates levied or proposed to be levied pursuant to this Part by the prescribed date of the current year.

(2) The information submitted pursuant to subsection (1) must be in the form and manner directed by the minister”.

Section 262 amended

2-69 Clause 262(1)(d) is repealed and the following substituted:

“(d) land and buildings, including buildings used for offices, storage and maintenance, and any land used in conjunction with those buildings or that portion of a building, other than any part of those buildings or any portion of a building used as a dwelling and the land used in connection with a dwelling, that are:

- (i) occupied by an Indian band and used for the purposes of a school; and
- (ii) owned by:
 - (A) an Indian band;
 - (B) a school division;
 - (C) any person, society or organization whose property is exempt from taxation pursuant to this or any other Act; or
 - (D) any other prescribed entity”.

Section 270 amended

2-70 Subsection 270(1) is amended by adding “and the regulations” after “Subject to subsection (2)”.

Section 270.1 amended

2-71 Subsection 270.1(1) is amended in the portion preceding clause (a) by striking out “two or more” and substituting “one or more”.

Section 271 amended

2-72 Section 271 is amended:

- (a) in clause (a) by striking out “council” and substituting “city”;
- (b) in clause (b) by striking out “council” and substituting “city”; and
- (c) in clause (c) by striking out “council” and substituting “city”.

New section 281.3

2-73 The following section is added after section 281.2:

“Provisions for financing environmental improvements

281.3(1) A council may, by bylaw, establish a program designed to encourage energy efficient, renewable energy and other environmental improvements for properties in the city.

(2) A program mentioned in subsection (1) may provide for the city and property owner to agree that the cost of improvements will be added to the owner’s property taxes.

(3) The amount due with respect to subsection (2) is a lien on the land on which the improvement was made.

(4) The agreement mentioned in subsection (2):

- (a) is not to be considered a loan or guarantee; and
- (b) may provide for any of the matters set out in sections 249 to 252.

(5) The Lieutenant Governor in Council may make regulations respecting a program bylaw or any other matter necessary to facilitate or meet the purposes of this section”.

Section 320 amended

2-74 Subsection 320(1) is amended in the portion preceding clause (a) by striking out “elector” and substituting “voter”.

New section 327.1

2-75 The following section is added after section 327:

“Bylaws concerning animal control

327.1 Without limiting the generality of clause 8(1)(k), a council may pass a bylaw respecting all or any of the following matters:

- (a) persons who own or harbour animals;
- (b) the number or type of animals owned or harboured by any person;
- (c) animals being at large;
- (d) persons who permit animals to be at large;
- (e) the seizing, impounding, destruction or other disposition of animals found at large”.

Section 333 amended

2-76 Subsection 333(1) is amended:

(a) by repealing clause (f) and substituting the following:

“(f) any other amount that may be added to the tax roll pursuant to the regulations or an Act”; **and**

(b) by adding the following clause after clause (f):

“(g) any prescribed amount”.

New section 347

2-77 Section 347 is repealed and the following substituted:

“Service of documents

347(1) Unless otherwise provided in this Act, any notice, order or document required by this Act or the regulations to be served is to be served:

- (a) personally;
- (b) by registered mail to the last known address of the person being served;
- (c) by posting a copy of the notice, order or document at the land, building or structure or on a vehicle to which the notice, order or document relates; or
- (d) by any other prescribed means.

(2) Subject to the regulations, a notice, order or document served by registered mail is deemed to have been received on the 10th day following the day of its mailing, unless the person to whom it was mailed established that, through no fault of the person, that person did not receive the notice, order or document or that the person received it at a later date.

(3) Irregularity in the service of a notice, order or document does not affect the validity of an otherwise valid notice, order or document.

(4) The Lieutenant Governor in Council may make regulations prescribing service requirements for different sections of this Act or the regulations”.

New section 351.2**2-78 Section 351.2 is repealed and the following substituted:****“Compulsory dispute resolution required by the minister**

351.2(1) The minister may, at any time, refer any dispute involving one or more cities to the Saskatchewan Municipal Board or a member of the Saskatchewan Municipal Board to hold a hearing and make a decision to settle the dispute.

(2) The Saskatchewan Municipal Board or member of the Saskatchewan Municipal Board may, in a decision to resolve a dispute involving one or more cities:

- (a) include terms and conditions; and
- (b) make the decision effective on a future date or for a limited time”.

New section 355.1**2-79 The following section is added after section 355:****“Use of information**

355.1(1) Subject to subsection (2) and notwithstanding any other Act or regulation, the minister may use and release any information, statement, bylaw, return or document that:

- (a) is required to be submitted to the minister pursuant to this or any other Act or regulation;
- (b) has been made available by the city publicly or otherwise; or
- (c) is otherwise in the possession or under the control of the minister.

(2) The minister may use or release any information mentioned in subsection (1) if, in the minister’s opinion, the use or release of the information is consistent with the purpose for which it was prepared, required and submitted or is otherwise in the public interest and does not constitute an unreasonable invasion of privacy or improper disclosure”.

Section 356 amended**2-80(1) Subsection 356(1) is repealed and the following substituted:**

“(1) In this section, **‘official examination’** means:

- (a) a report pursuant to section 160;
- (b) an audit pursuant to section 352;
- (c) an inspection pursuant to section 353;
- (d) an inquiry pursuant to section 354;
- (e) an investigation, review, report or recommendation by or from the Ombudsman pursuant to *The Ombudsman Act, 2012*;
- (f) an investigation, review, report or recommendation by or from any person whose duties include the enforcement of *The Saskatchewan Employment Act* with respect to an offence within that person’s power to investigate;
- (g) an investigation, review, report or recommendation by or from the Information and Privacy Commissioner pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act*”.

(2) Subsection 356(2.1) is repealed and the following substituted:

“(2.1) The order mentioned in subsection (1.1) may include directions to do the following, in accordance with any terms and conditions the minister considers appropriate:

- (a) remove, repeal, alter, amend or rescind a bylaw, resolution, approval, fee or charge of the city or imposed by the city; or
- (b) grant any licences, permits, inspections or approvals withheld by or on behalf of a city.

“(2.2) Before making an order pursuant to this section, the minister shall provide notice to the council, a member of council, a commissioner, a manager or a designated officer:

- (a) setting out the facts and circumstances that, in the minister’s opinion, require the council, a member of council, a commissioner, a manager or a designated officer to take the actions mentioned in subsection (1.1);
- (b) specifying any action that the minister intends to take pursuant to subsection (1.1);
- (c) specifying the directives the minister intends to give pursuant to subsection (2.1); and
- (d) specifying any other order that the minister intends to make as a result of the official examination.

“(2.3) The council, member of council, commissioner, manager or designated officer may make representations, in the form, manner and within the period that the minister considers appropriate, respecting the matters set out in the notice mentioned in subsection (2.2).

“(2.4) After considering any representations made pursuant to subsection (2.3), the minister may:

- (a) confirm the order or any other action as set out in the notice;
- (b) revise any of the actions; or
- (c) determine that no action is to be taken.

“(2.5) The minister shall serve a copy of the decision pursuant to subsection (2.4), with reasons, including the dates by which any order will be made or any other actions will be taken, on the council, member of council, commissioner, manager or designated officer who made the representations”.

(3) The following subsection is added after subsection 356(5):

“(5.1) The minister may consult with any association or organization before making an order pursuant to this section”.

Section 359 amended

2-81 The following clause is added after clause 359(1)(d):

“(d.1) for the purposes of clause 2(1)(cc.11), defining, enlarging or restricting the meaning of resource production equipment, including respecting equipment or things, or classes of equipment or things, that are or are not resource production equipment”.

Section 361 amended

2-82 Subsection 361(3) is amended:

- (a) **in the portion preceding clause (a) by striking out** “At the end of a year in which” **and substituting** “Within 12 months after”; **and**
- (b) **in clause (a) by striking out** “at the end of the year” **and substituting** “at the end of those 12 months”.

New section 361.1

2-83 The following section is added after section 361:

“Property owner assistance program

361.1(1) If a city enters into an agreement with a person to do any work or service for that person on land owned by that person, the city and that person may agree that the unpaid amounts for the work or services performed on that person’s land will be added to the tax roll over multiple tax years for the parcel of land that is the subject of the agreement.

(2) If there is an agreement pursuant to subsection (1) to add to the tax roll the unpaid amounts over multiple tax years, a city may cause an interest based on the agreement made pursuant to this section to be registered in the Land Titles Registry against the parcel of land that is the subject of the agreement.

(3) If an interest is registered pursuant to subsection (2), the interest runs with the land and is binding on the owner and any subsequent owners.

(4) The city shall cause an interest that is registered pursuant to subsection (2) to be discharged when the full amount of the cost of the work or services has been paid.

(5) If an agreement is made pursuant to subsection (1), a city may specify in that agreement the conditions on which sections 249 to 252 will or will not apply to the amounts that are added to the tax roll pursuant to subsection (1).

(6) An agreement made pursuant to subsection (1) is not considered a loan within the meaning of Division 8 and does not require a city to follow the processes outlined in Division 8”.

PART 3

The Municipalities Act

SS 2005, c M-36.1 amended

3-1 *The Municipalities Act* is amended in the manner set forth in this Part.

Section 2 amended

3-2 Subsection 2(1) is amended:

(a) **in clause (e) in the portion preceding subclause (i) by adding** “, subject to the regulations,” **after** “means”;

(b) **by adding the following clause after clause (g):**

“(g.1) ‘**contact information**’ means:

- (i) the name of a person; and

(ii) whichever of the following options is considered by the sender to be most likely to effect receipt by the intended recipient:

- (A) mailing address;
- (B) street or civic address;
- (C) email address;
- (D) telephone number;
- (E) fax number;
- (F) any other prescribed option”;

(c) in clause (q) in the portion preceding subclause (i) by adding “, subject to the regulations” after “means”;

(d) by adding the following clause after clause (t):

“(t.1) **‘mail’** includes, subject to the regulations, email or other means of electronic transmission, if the email address has been provided by the recipient and that person has consented to receive mail electronically, except where this Act requires a document to be sent by registered mail or served pursuant to section 390”;

(e) by repealing clause (x) and substituting the following:

“(x) **‘newspaper’**, if this Act requires notice of a matter to be published in a newspaper, means:

(i) a publication or local periodical that is distributed at least weekly in a municipality or area that is affected by a matter, but does not include a publication primarily for advertising or an advertising supplement to or contained in a newspaper; or

(ii) if a council is of the opinion that the requirements to publish in a newspaper are not feasible or practicable, the council may decide on other means of publishing or otherwise providing notice, including publishing the notice on a website or by other electronic means as long as the notice is given within the same period and with the same frequency required by this Act and the means are set out in the public notice policy adopted by council bylaw”;

(f) by repealing clause (nn) and substituting the following:

“(nn) **‘resource production equipment’** means resource production equipment as defined in the regulations”;

(g) in clause (vv) by adding “, subject to the regulations,” after “means”;

(h) in clause (xx) by adding “, subject to the regulations,” after “includes”; and

(i) in clause (zz.1) in the portion preceding subclause (i) by adding “, subject to the regulations,” after “means”.

Section 8 amended**3-3(1) The following clauses are added after clause 8(2)(k):**

“(l) requiring dispute resolution or mediation before:

(i) an owner or occupant appeals an order to remedy bylaw contraventions; or

(ii) the municipality remedies contraventions of bylaws;

“(m) providing for the sending of notices of contravention of bylaws, including parking offences, by ordinary mail, email or other means and determining the address to which notices are sent”.

(2) Clause 8(4)(a) is repealed and the following substituted:

“(a) administering and regulating the activity and enforcing the regulatory scheme for which the licence, inspection, permit or approval is required”.

Section 19 amended**3-4(1) The following subsections are added after subsection 19(1):**

“(1.1) One or more parties to a dispute may nominate an adjudicator to hear and resolve the matter in dispute.

“(1.2) If the parties to the dispute cannot agree to an adjudicator within 5 days after the nomination mentioned in subsection (1.1), the dispute may be submitted by any 1 party to be resolved pursuant to section 392”.

(2) Subsections 19(2) to (4) are repealed.**(3) Subsection 19(12) is repealed.****Section 22 amended****3-5(1) Clause 22(1)(b) is amended:**

(a) in subclause (i) by adding “, receiver” after “producer”; and

(b) in subclause (iii) by striking out “requires the use of a street or road” and substituting “uses a street or road”.

(2) Subsection 22(1.1) is repealed.**(3) The following subsections are added before subsection 22(2):**

“(1.2) Notwithstanding any other provision of this Act, a council may, by agreement with a person mentioned in clause (1)(b), enter into an agreement with that person for a schedule of charges or fees if that schedule of charges or fees is applied consistently within the municipality for other agreements.

“(1.3) An agreement pursuant to subsection (1.2):

(a) must contain provisions regarding dispute resolution;

(b) is subject to subsection (7); and

(c) is not subject to section 22.1”.

(4) Subsection 22(6) is repealed and the following substituted:

“(6) A municipality may enter into an agreement for the purposes mentioned in subsection (1):

- (a) with one or more other municipalities; or
- (b) with more than one person:
 - (i) if all persons with an agreement relating to the same road are treated consistently; and
 - (ii) if all persons with agreements for similar activities are treated consistently within the municipality.

“(7) The minister may require reporting of agreements pursuant to this section in the form and manner that the minister considers appropriate.

“(8) The Lieutenant Governor in Council may make regulations:

- (a) specifying the nature of transports mentioned in clause (1)(b);
- (b) specifying persons for whom road maintenance agreements may not be required by a municipality”.

Section 22.1 amended

3-6 Subsection 22.1(2) is amended:

- (a) by adding “or” after clause (b); and
- (b) by adding the following clause after clause (b):
 - “(c) any other prescribed matter”.

Section 23 amended

3-7 Clause 23(3)(a) is amended by adding “by bylaw” after “council”.

Section 49 amended

3-8 Subsection 49(3) is amended by adding “and after consulting the rural municipality” after “at the request of a hamlet board”.

New section 49.1

3-9 The following section is added after section 49:

“Reviews of division boundaries

49.1(1) A rural municipality council may review the divisions of the rural municipality on its own initiative at any time and for any reason.

(2) The council shall establish a policy setting out the manner in which it will review the divisions of the rural municipality within 2 years of the coming into force of this section for the purpose of providing that each division of the rural municipality has, as nearly as is reasonably practicable, the same population or number of voters.

(3) Notwithstanding subsection (2), the council may elect council members representing the rural municipality at large, with no reference to divisions.

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- (4) Subject to the regulations, the policy established pursuant to subsection (2) must address the following matters:
- (a) the council committee or other body that will undertake the review, its composition, operating procedures and remuneration;
 - (b) events that trigger a review;
 - (c) additional factors to be considered to determine if a variance in population or number of voters is acceptable;
 - (d) reporting of recommendations to the council;
 - (e) the maximum time frame in which to complete a review;
 - (f) requirements to make the report of the council committee or body available for public inspection and to give public notice of the report;
 - (g) any other matters the council considers necessary.
- (5) The council shall receive the report in a regular meeting and, subject to the policy established pursuant to subsection (2), decide whether to apply to the minister to alter division boundaries.
- (6) If required by the regulations, the council shall apply to the minister to alter division boundaries in accordance with section 49.
- (7) A minister's order made in response to an application pursuant to subsection (6) takes effect:
- (a) if the application is made 180 days or more before a general election, with respect to that general election and all subsequent general elections and by-elections held in the rural municipality; or
 - (b) if the application is made less than 180 days before a general election, with respect to all general elections and by-elections commencing with the second general election after the report is filed.
- (8) The Lieutenant Governor may make regulations respecting:
- (a) in the case of a council constituted by members elected at large, the number of members to be elected;
 - (b) the requirements of the policy mentioned in subsection (4);
 - (c) the manner and means of determining the population or number of voters;
 - (d) the minimum frequency of reviews;
 - (e) any requirements for the purposes of subsection (6).

New section 49.2**3-10 The following section is added after section 49.1:****“Special Service Areas**

49.2 At the request of a municipality, the minister may, by order, establish areas within a rural municipality for the purposes of assigning different tax rates and providing different service levels”.

Section 51.1 amended

3-11(1) Clause 51.1(1)(c) is amended by adding “city,” after “means a”.

(2) The following subsection is added after subsection 51.1(3):

“(3.1) Without limiting the matters that may be addressed in the agreement mentioned in subsection (3), the agreement may address any matters listed in subsection 53(3), as well as the application of bylaws, staffing and administration and any temporary transitional measures”.

(3) Subsection 51.1(6) is amended:

(a) by striking out the portion preceding clause (a) and substituting the following:

“The Lieutenant Governor in Council may make regulations with respect to any municipal district or all municipal districts.”; **and**

(b) by adding the following clauses after clause (a):

“(a.1) respecting additional revenue sharing, infrastructure or special funding;

“(a.2) respecting financial matters, such as investments, borrowing and debt limits;

“(a.3) respecting taxation and assessment, such as permitted use of tax tools, including the authority to establish subclasses of property for the purposes of establishing tax rates;

“(a.4) respecting exemption from requirements or limitations pursuant to this Act”.

Section 57 amended

3-12 Subsection 57(4) is amended by adding “and available for public inspection in accordance with section 117” after “recorded”.

Section 65 amended

3-13 Subsection 65(1) is amended by adding “and in any other manner the minister considers appropriate” after “Part I of the Gazette”.

Section 68 amended

3-14(1) Subsection 68(1) is amended by adding “for the purpose of making recommendations to council on matters that relate to the organized hamlet” after “Lieutenant Governor in Council”.

(2) Clause 68(3)(b) is amended by adding “, or if filling a vacancy, for the remainder of the term until the next election of a hamlet board” after “hamlet board”.

(3) Subsection 68(4) is amended by striking out “name, address and telephone number” and substituting “contact information”.

Section 69 amended

3-15 Subsection 69(2) is amended by striking out “authorized by this Act” and substituting “that is included in the budget pursuant to section 69.1”.

New section 69.1

3-16 Section 69.1 is repealed and the following substituted:

“Hamlet budget and report of activities

69.1(1) Subject to the regulations, the hamlet board shall prepare and submit to the council of the rural municipality a budget and a copy of the report to voters of the board’s activities in the previous year:

- (a) on or before March 1 in any year; or
- (b) on or before any other date agreed to by the council and the hamlet board.

(2) The council shall deal with the budget and report mentioned in subsection (1) in accordance with the regulations”.

Section 72 amended

3-17 Clause 72(a) is amended by striking out “authorized by this Act” and substituting “that is included in the budget pursuant to section 69.1”.

Section 77 amended

3-18 The following subsection is added after subsection 77(2):

“(3) If the appointed persons cannot agree on the third person to act as chairperson pursuant to subsection (2) within 30 days, the dispute may be submitted by any 1 party to be resolved pursuant to section 392”.

Section 78 amended

3-19 The following clauses are added after clause 78(f):

- “(f.1) respecting which sections of Part VII apply to a hamlet board;
- “(f.2) respecting procedures and processes for preparing and submitting the budget to the council pursuant to section 69.1”.

Section 81.1 amended

3-20 Clause 81.1(2)(e) is repealed and the following substituted:

“(e) the procedures for calling a special meeting of the council pursuant to section 123, including designating a person to call a special meeting if the position of administrator is vacant or the administrator is unable to act”.

Section 82 amended

3-21 Subsection 82(2) is repealed.

Section 89 amended

3-22 Subsection 89(2) is amended:

- (a) by striking out “or” after clause (a);
- (b) by adding “or” after clause (b); and
- (c) by adding the following clause after clause (b):

“(c) the election provisions and the term of office for members of council of rural municipalities as set out in *The Local Government Election Act, 2015*, and the provisions of that Act regarding elections at large apply, with any necessary modification”.

Section 110 amended

3-23 Subsections 110(5) and (6) are repealed.

New section 110.1

3-24 The following section is added after section 110:

“Appointment of acting administrator

110.1(1) In this section, **‘board of examiners’** means the board of examiners established pursuant to an agreement mentioned in section 16 of *The Urban Municipal Administrators Act* or section 11 of *The Rural Municipal Administrators Act*, as the case may be.

(2) If for any reason the administrator is unable to act, a council shall appoint a person within 30 days after the administrator is unable to act to fill the position of administrator of the municipality in an acting capacity.

(3) A person appointed pursuant to subsection (2) may fill the position of administrator of the municipality in an acting capacity:

- (a) for a period of not more than 3 months; or
- (b) any longer period that the board of examiners may allow”.

Section 111 amended

3-25 The following subsections are added after subsection 111(2):

“(3) The administrator is responsible for the hiring, suspension and dismissal of all employees of the municipality, unless otherwise provided by council.

“(4) The administrator may witness any oaths or affirmations required pursuant to this Act”.

New sections 114 and 114.1

3-26 Section 114 is repealed and the following substituted:

“Appointment, suspension and revocation

114(1) The appointment of a person to the position of administrator may be made, suspended or revoked only if the majority of the council vote to do so.

(2) Notwithstanding subsection 111(3), the appointment of a person to the position of full-time municipal solicitor may be made, suspended or revoked only if the majority of council vote to do so, unless otherwise delegated by council.

“Protection from reprisal

114.1(1) In this section:

- (a) **‘reprisal’** means any of the following measures taken against a municipal employee who has acted pursuant to any of clauses (2)(a) to (c):
 - (i) a dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work or reprimand;
 - (ii) any measure, other than one mentioned in subclause (i), that adversely affects the municipal employee’s employment or working conditions or hinders the performance of that person’s duties;
 - (iii) a threat to take any of the measures mentioned in subclauses (i) or (ii);
 - (iv) a discriminatory action as defined in *The Saskatchewan Employment Act*;

(b) **‘wrongdoing’** includes any of the following committed by a council, member of council or municipal employee:

- (i) a contravention of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
- (ii) a contravention of any municipal bylaw or policy;
- (iii) a contravention of the code of ethics, rules of conduct or procedures applicable to every member of council imposed by this and any other Act and by council;
- (iv) an act or omission that creates:
 - (A) substantial and specific danger to life, health or safety of persons; or
 - (B) a substantial and specific danger to the environment;
- (v) gross mismanagement of public funds or a public asset;
- (vi) knowingly directing or counselling someone to commit a contravention, an act or an omission mentioned in subclauses (i) to (v).

(2) No person shall take or direct a reprisal against a municipal employee because the employee has, in good faith:

- (a) sought advice about making a disclosure of wrongdoing from or made a disclosure of wrongdoing to any of the following:
 - (i) any person designated by the municipality in its employee code of conduct or otherwise to deal with the disclosure of wrongdoing;
 - (ii) any person directly or indirectly responsible for supervising the employee;
 - (iii) the Ombudsman, pursuant to and in accordance with *The Ombudsman Act, 2012*;
 - (iv) any person responsible for enforcing employment standards or occupational health and safety standards in accordance with *The Saskatchewan Employment Act*;
 - (v) any person designated by the minister pursuant to this or any Act with respect to a matter within that person’s power to review, audit, inspect or investigate;
 - (vi) any person whose duties include enforcement of another Act or Act of the Parliament of Canada with respect to an offence within that person’s power to investigate;
 - (vii) any member of a police or law enforcement agency with respect to an offence within its power to investigate;
- (b) participated in a review or investigation of a wrongdoing; or
- (c) declined to participate in a wrongdoing.

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- (3) Every person who contravenes subsection (2) is guilty of an offence and liable on summary conviction to:
- (a) in the case of an individual, a fine of not more than \$10,000, or imprisonment for not more than 1 year, or to both;
 - (b) in the case of a corporation, a fine of not more than \$25,000; and
 - (c) in the case of a continuing offence by an individual or a corporation, to a maximum daily fine of not more than \$2,500 for each day or part of a day during which the offence continues.
- (4) A member of council who knowingly votes for a resolution authorizing any of the measures or actions in clause (1)(a) is subject to liability in accordance with clause (3)(a).
- (5) Nothing in this section shall be construed to limit any right that any municipal employee may have pursuant to this Act, any other Act or municipal bylaws or policies:
- (a) to disclose information about wrongdoing to a lawful authority; or
 - (b) to seek protection from reprisal as a result of the disclosure.
- (6) Nothing in this section shall be construed to provide protection for a municipal employee for that person's wrongdoing, and that person is subject to appropriate disciplinary action".

Section 116 amended**3-27(1) Subsection 116(2) is amended:**

- (a) **by repealing clause (d); and**
- (b) **by adding the following clause after clause (f):**
“(g) any other prescribed document”.

(2) The following subsection is added after subsection 116(2):

“(2.1) Tax and assessment rolls must be preserved for a minimum of 10 years or any longer period established by a council in its records retention and disposal schedule”.

(3) The following subsection is added after subsection 116(3):

“(4) The Lieutenant Governor in Council may make regulations prescribing additional types of documents to be included in subsection (2)”.

Section 117 amended**3-28(1) Subsection 117(1) is amended:**

- (a) **by adding the following clause after clause (b.1):**
“(b.2) the financial statements of any controlled corporation prepared in accordance with section 187 and an auditor's report prepared in accordance with subsection 189(1)”;
- (b) **by striking out “and” after clause (c);**
- (c) **by adding “and” after clause (d); and**
- (d) **by adding the following clause after clause (d):**
“(e) any other prescribed report or document”.

(2) The following subsection is added after subsection 117(2):

“(2.1) The municipality may provide additional means of public inspection of the documents mentioned in subsection (1), including posting the documents on the municipality’s website”.

(3) The following subsection is added after subsection 117(3):

“(4) The Lieutenant Governor in Council may make regulations prescribing additional types of documents to be included in subsection (1)”.

Section 122 amended

3-29 The following subsection is added after subsection 122(2):

“(2.1) A council shall ensure that the time between regularly scheduled council meetings does not exceed 60 days”.

Section 124 amended

3-30(1) Clause 124(1)(c) is repealed and the following substituted:

“(c) at the request of the member, provided or sent according to the member’s contact information”.

(2) Subsection 124(2) is amended by adding “or on the municipality’s website” after “municipality office”.

Section 127 amended

3-31 Clause 127(q) is amended by striking out “or a person acting in a full-time capacity as a municipal solicitor”.

Section 140.1 amended

3-32 Subsection 140.1(3) is amended:

(a) by striking out “and” after clause (c); and

(b) by repealing clause (c) and substituting the following:

“(c) determine with the auditor the audit required to address the petition;

“(c.1) if the council considers it necessary, meet with the representatives of the petitioners to verify that the audit addresses the statement of purpose of the petition; and”.

Section 141.1 amended

3-33 Subsection 141.1(1) is amended by striking out “the private interests of a closely connected person” and substituting “to improperly further another person’s private interests”.

Section 144.2 amended

3-34 Section 144.2 is amended by striking out “the private interests of a closely connected person” and substituting “to improperly further another person’s private interests”.

Section 147 amended

3-35 Subsection 147(1) is amended:

(a) by repealing clause (c) and substituting the following:

“(c) is absent from all regular council meetings held during any period of 3 consecutive months during which at least 2 meetings of the council have been held, starting with the date that the first meeting is missed, unless the absence is authorized by:

- (i) a resolution of council; or
- (ii) a leave of absence policy adopted by council”; **and**

(b) in clause (e):

(i) by striking out “or” after subclause (i); and

(ii) by adding the following after subclause (ii):

“(iii) subsection 114.1(2) of this Act; or

“(iv) subsection 192(5) of this Act”.

Section 148 amended

3-36(1) Subsection 148(2) is repealed and the following substituted:

“(2) If a member of council who is disqualified does not resign as required by subsection (1):

- (a) the council may, by resolution, declare the person’s office vacant; or
- (b) the council or a voter may apply to a judge of the court in the prescribed manner for:
 - (i) an order determining whether the person was never qualified to be or has ceased to be qualified to remain a member of council; or
 - (ii) an order declaring the person to be disqualified from council.

“(2.1) The person whose office has been declared vacant pursuant to clause (2)(a) may, within 10 business days after the passing of the resolution by council, appeal the resolution to a judge of the court in the prescribed manner.

“(2.2) After hearing an application pursuant to subsection (2.1) and any evidence, either oral or by affidavit, that is required, the judge of the court may:

- (a) confirm the disqualification resolution; or
- (b) set aside the disqualification resolution”.

(2) Subsection 148(6) is amended in the portion preceding clause (a) by striking out “pursuant to this section” and substituting “pursuant to clause (2)(b)”.

Section 169 amended

3-37 Clause 169(b) is repealed and the following substituted:

“(b) the rate or rates of interest or how the rate of interest is calculated, the term, and the terms of repayment of the borrowing”.

New section 185.1**3-38 The following section is added after section 185:****“Public accounts**

185.1(1) On or before the prescribed date of each year, a municipality shall cause to be prepared and presented to the council the municipality’s public accounts for the preceding financial year.

(2) Subject to the regulations, the public accounts prepared pursuant to subsection (1) must:

- (a) incorporate the audited financial statement of the municipality; and
- (b) show clearly and fully:
 - (i) the remuneration paid to each employee and member of council; and
 - (ii) any other remuneration, expenditures, grants and contributions of goods and services as set out in the regulations.

(3) The municipality shall cause all public accounts of the municipality:

- (a) to be open for inspection by any person at all reasonable hours; and
- (b) to be printed in sufficient quantity and distributed in a manner that will satisfy any reasonable requests for copies.

(4) The minister may make regulations respecting:

- (a) requirements for or limitations on public accounts; and
- (b) the prescribed date for the purposes of subsection (1)”.

Section 189 amended**3-39 Subsections 189(2), (2.1) and (3) are repealed and the following substituted:**

“(2) An auditor appointed pursuant to subsection 188(2) shall report to the council on the annual financial statements of a controlled corporation in accordance with the form and the reporting standards recommended from time to time by Chartered Professional Accountants of Canada.

“(3) An auditor mentioned in subsection (1) or (2) shall:

- (a) separately report to the council any improper or unauthorized transaction or non-compliance with this or another Act or a bylaw that is noted during the course of an audit; and
- (b) provide a copy of any report made pursuant to clause (a) to the minister.

“(4) The council may require any further examination and report from an auditor mentioned in subsection (1) or (2)”.

Section 192 amended**3-40 Subsection 192(5) is repealed and the following substituted:**

“(5) A person who is found liable pursuant to subsection (1) or (2) is, in addition to any other penalty or consequence, disqualified from holding office in the municipality or in any other municipality for 12 years after the date of the finding of liability”.

Section 193 amended

3-41 Section 193 is amended:

- (a) **in clause (e.31) by adding “, subject to the regulations,” after “means”;**
- (b) **in clause (e.32) by adding “, subject to the regulations,” after “means”;**
- (c) **in clause (f) in the portion preceding subclause (i) by adding “, subject to the regulations” after “means”; and**
- (d) **in clause (g) by adding “, subject to the regulations,” after “means”.**

Section 195 amended

3-42 Subsection 195(4.1) is amended by adding “and subject to the regulations” after “*The Assessment Management Agency Act*”.

Section 199 amended

3-43 Subsection 199(4) is amended by striking out “September 1” and substituting “July 1”.

Section 201 amended

3-44 Subsection 201(7.1) is amended by adding “, unless the statement is requested by the assessor” after “to that subsection”.

Section 205 amended

3-45 Clause 205(b) is repealed and the following substituted:

“(b) the contact information of the assessed person or, if that information is not known and cannot be ascertained after reasonable inquiry, a note stating that the contact information is not known”.

Section 207 amended

3-46(1) Subsection 207(2.1) is amended by striking out “house trailer” wherever it appears and in each case substituting “trailer or mobile home”.

(2) Subsection 207(3) is amended by striking out “a mailing address” and substituting “that person’s contact information”.

Section 215 amended

3-47 Subsection 215(1) is amended:

(a) by adding the following clause after clause (c):

“(c.1) the contact information of the municipality to enable an assessed person to discuss the notice of assessment or potential appeal in accordance with clause 225(6)(d)”; **and**

(b) by repealing clause (d) and substituting the following:

“(d) the contact information for the secretary of the board of revision and any other designated officer with whom an appeal is required to be filed;

“(d.01) any appeal fees set by a municipality pursuant to section 224”.

Section 216 amended**3-48(1) Subsection 216(3) is repealed and the following substituted:**

“(3) A copy of the assessment notice may be sent according to the contact information of the assessed person using the option determined by that person”.

(2) Subsection 216(4) is amended by striking out “If the mailing address of the assessed person and the assessed property is” and substituting “If the contact information of the assessed person and the mailing address of the assessed property are”.

Section 220 amended**3-49(1) Subsection 220(1) is repealed and the following substituted:**

“(1) A council shall appoint no fewer than 3 persons to constitute the board of revision for the municipality before the assessment roll is prepared pursuant to section 204”.

(2) Subsection 220(2) is repealed and the following substituted:

“(2) The following persons are not eligible to sit as members of the board of revision for the municipality:

- (a) a member of council;
- (b) a member of the board of education of any school division situated wholly or partly in the municipality or in which the municipality is wholly or partly situated;
- (c) an employee of the municipality”.

(3) Subsection 220(13) is repealed and the following substituted:

“(13) The Lieutenant Governor in Council may make regulations:

- (a) prescribing rules of procedure for boards of revision; and
- (b) respecting the appointment of and training and qualifications for members of boards of revision”.

Section 221 amended**3-50 The following subsection is added after subsection 221(2):**

“(3) The Lieutenant Governor in Council may make regulations respecting the appointment, remuneration and duties of secretaries of boards of revision”.

New section 221.1**3-51 The following section is added after section 221:****“Provincial Registrar of boards of revision**

221.1(1) The Lieutenant Governor in Council may establish an Office of the Registrar for the purposes of receiving, reviewing and processing appeals for any boards of revision.

(2) The minister may provide the Office of the Registrar with any supplies and the services of any employees under the minister’s administration that the minister considers to be required for the Office of the Registrar to carry out the powers and duties of that office.

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- (3) The minister may delegate any duties of a secretary of a board of revision to the Office of the Registrar.
 - (4) The Lieutenant Governor in Council may make regulations respecting:
 - (a) the powers and duties of the Office of the Registrar; and
 - (b) rules and procedures for receiving, reviewing and processing appeals pursuant to subsection (1)".

Section 222 amended**3-52 The following subsection is added after subsection 222(4):**

"(5) The Lieutenant Governor in Council may make regulations respecting district boards of revision or other boards of revision".

New section 222.1**3-53 The following section is added after section 222:****"Provincially established boards of revision**

222.1(1) Notwithstanding section 220, the Lieutenant Governor in Council may, by order, appoint persons to serve on boards of revision established for the purposes of Divisions 5 and 6 of this Part.

(2) Subject to the regulations, the persons appointed and boards established pursuant to this section have all the powers, duties and responsibilities given to a board of revision pursuant to this Part.

(3) A board of revision established pursuant to this section is deemed to be the appointed board of revision pursuant to section 220 for the purposes of hearing appeals:

- (a) for any municipalities located in the prescribed areas;
- (b) of any prescribed type;
- (c) for any municipality whose board of revision does not meet the prescribed requirements pursuant to subsection 220(13); or
- (d) for any prescribed purpose, circumstance or situation.

(4) The minister may provide any clerical or other assistance to boards of revision established pursuant to this section that the boards may require.

- (5) Every member of a board of revision appointed pursuant to subsection (1):
- (a) must meet the prescribed qualifications and complete the prescribed training;
 - (b) holds office at pleasure for a term not exceeding the prescribed term and until a successor is appointed; and
 - (c) is eligible for reappointment.

(6) A chairperson and a vice-chairperson must be designated, and the maximum rates for the remuneration and reimbursement for expenses that may be paid to members must be established in the order that appoints a member of the board of revision.

(7) The Lieutenant Governor in Council may make regulations for the purposes of the boards of revision established pursuant to this section respecting the following:

- (a) the area within which members appointed pursuant to this section may hear and decide appeals;
- (b) the training, qualifications and terms of office of members;
- (c) the manner in which remuneration for members and other expenses of boards are to be paid and funded;
- (d) reporting requirements;
- (e) the appointment of a secretary;
- (f) rules and procedures for receiving, hearing, notifying, determining and deciding appeals;
- (g) the application, modification or suspension of any provision of this Part;
- (h) the circumstances in which a municipality may appoint and utilize its own board of revision; and
- (i) any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this section”.

Section 223 amended

3-54(1) Subsection 223(1) is repealed and the following substituted:

“(1) This section applies, at the option of the appellant, to an appeal concerning the assessment of:

- (a) a single family residential property regardless of the total assessment; or
- (b) any property that has a total assessment of the prescribed amount or less”.

(2) The following subsection is added after subsection 223(4):

“(5) The Lieutenant Governor in Council may make regulations for the purposes of subsection (1) prescribing different amounts for different classes of properties and different types of municipalities”.

Section 225 amended

3-55 Clause 225(6)(e) is amended by striking out “mailing address” wherever it appears and in each case substituting “contact information”.

Section 226 amended

3-56(1) The following subsection is added after subsection 226(1.1):

“(1.2) Subsection (1.1) does not apply to an amended assessment notice or a notice of supplementary assessment”.

(2) Clause 226(3)(a) is repealed and the following substituted:

“(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal”.

Section 228 amended

3-57 The following subsection is added after subsection 228(2):

“(2.1) If the owner of the property is not a party to the appeal, that owner must be notified of the agreement pursuant to subsection (1)”.

Section 229 amended

3-58 Subsection 229(3) is repealed and the following substituted:

“(3) The secretary of the board of revision may serve the notice pursuant to this section:

- (a) according to the contact information included in the notice of appeal; or
- (b) if no contact information is included in the notice of appeal, at the address entered on the assessment roll”.

Section 238 amended

3-59(1) Clause 238(2)(b) is repealed and the following substituted:

“(b) producing a transcript by a court reporting service of a recording or part of a recording”.

(2) Clause 238(4)(a) is repealed and the following substituted:

“(a) pursuant to this section, a transcript of the recording or part of a recording is made by a court reporting service of a hearing or of part of a hearing or of the testimony of a witness testifying at a hearing”.

Section 240 amended

3-60(1) Subsection 240(4) is amended:

(a) **by striking out “A board” and substituting “Unless otherwise provided for in the regulations, a board”; and**

(b) **by striking out “90 days” and substituting “180 days”.**

(2) Subsection 240(4.1) is repealed.

(3) Subsection 240(5) is amended in the portion preceding clause (a) by striking out “registered” and substituting “ordinary”.

(4) The following subsection is added after subsection 240(5):

“(5.1) If the owner of the property is not a party to the appeal, that owner must be notified of the decision pursuant to subsection (1)”.

Section 241 amended

3-61 Section 241 is amended by striking out “The assessor shall” and substituting “Subject to section 257 and the regulations, the assessor shall”.

Section 247 amended

3-62 Clause 247(5.1)(a) is repealed and the following substituted:

“(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal”.

Section 250 amended

3-63 Section 250 is amended:

- (a) **by renumbering it as subsection 250(1);**
- (b) **by repealing clause (1)(f) and substituting the following:**
“(f) a transcript by a court reporting service, if any, of the proceedings before the board of revision”; **and**
- (c) **by adding the following subsection after subsection (1):**
“(2) The board of revision shall provide the materials mentioned in clauses (1)(a) to (f) to the appeal board within 14 days after the request of the appeal board”.

Section 256 amended

3-64(1) The following subsection is added after subsection 256(4):

- “(4.01) If the owner of the property is not a party to the appeal, that owner must be notified of the decision pursuant to subsection (1)”.
- (2) **Subsection 256(5) is amended by striking out “If the assessment” and substituting “Subject to the regulations, if the assessment”.**

Section 257 amended

3-65 Subsection 257(1) is amended by striking out “A decision” and substituting “Subject to the regulations, a decision”.

Section 264 amended

3-66 Clause 264(1)(b) is amended by striking out “name and mailing address” and substituting “contact information”.

Section 268 amended

3-67(1) Subsection 268(1) is repealed and the following substituted:

- “(1) A copy of the tax notice may be sent by any means to the contact information of the taxpayer”.
- (2) **Subsection 268(2) is amended by striking out “If the mailing address of the taxpayer and the taxable property is” and substituting “If the contact information of the taxpayer and the mailing address of the taxable property are”.**

Section 273 amended

3-68(1) Subsection 273(1) is repealed and the following substituted:

- “(1) If a person pays only a portion of the taxes owing with respect to a property, a designated officer shall apportion the amount paid between the municipality and any other taxing authorities on whose behalf the municipality levies taxes in shares corresponding to their respective tax rates, applied in the following order:
 - (a) payment of any arrears of taxes due with respect to the property;
 - (b) payment of current taxes owed on the property”.
- (2) **The following subsection is added after subsection 273(3):**
“(4) The Lieutenant Governor in Council may make regulations for the purpose of applying this section in combination with other sections in this Division respecting the payment of taxes and arrears of taxes”.

New section 273.1

3-69 The following section is added after section 273:

“Municipality to pay proportionate amount to other taxing authorities

273.1(1) Notwithstanding any other Act or law, if a municipality receives from any person a payment equal to all or any part of taxes owing with respect to a property, whether as a prepayment, an advance or an amount based on tax indebtedness or any other factor, the municipality shall pay to all other taxing authorities on whose behalf it levies taxes the proportionate amount that the municipality is obligated to pay to the other taxing authorities as if the taxes had been paid.

(2) Subsection (1) and section 273 apply whether or not the payment received by the municipality is characterized as a tax payment”.

Section 284 amended

3-70 Clauses 284(1)(b) and (c) are repealed and the following substituted:

“(b) respecting mill rate factors, minimum tax and base tax that may be set by a council;

“(c) prescribing classes of assessment of property for which a mill rate factor, minimum tax and base tax may not be set”.

New section 290.01

3-71 The following section is added after section 290:

“Mill rate survey return

290.01(1) A municipality shall submit to the minister information respecting tax tools, tax rates and any other taxes and rates levied or proposed to be levied pursuant to this Part by the prescribed date of the current year.

(2) The information submitted pursuant to subsection (1) must be in the form and manner directed by the minister”.

Section 292 amended

3-72 Clause 292(1)(d) is repealed and the following substituted:

“(d) land and buildings, including buildings used for offices, storage and maintenance, and any land used in conjunction with those buildings or that portion of a building, other than any part of those buildings or any portion of a building used as a dwelling and the land used in connection with a dwelling, that are:

- (i) occupied by an Indian band and used for the purposes of a school; and
- (ii) owned by:
 - (A) an Indian band;
 - (B) a school division;
 - (C) any person, society or organization whose property is exempt from taxation pursuant to this or any other Act; or
 - (D) any other prescribed entity”.

Section 293 amended

3-73 Clause 293(2)(e) is amended in the portion preceding subclause (i):

- (a) by adding “, hamlet” after “organized hamlet”; and**
- (b) by striking out “clause 53(3)(i)” and substituting “section 49.2 or clause 53(3)(i)”.**

Section 305 amended

3-74 Subsection 305(1) is amended by adding “and the regulations” after “subsection (2)”.

Section 306 amended

3-75 Subsection 306(1) is amended in the portion preceding clause (a) by striking out “two or more” and substituting “one or more”.

Section 307 amended

3-76 Section 307 is amended:

- (a) in clause (a) by striking out “council” and substituting “municipality”;**
- (b) in clause (b) by striking out “council” and substituting “municipality”; and**
- (c) in clause (c) by striking out “council” and substituting “municipality”.**

New section 317.3

3-77 The following section is added after section 317.2:

“Provisions for financing environmental improvements

317.3(1) A council may, by bylaw, establish a program designed to encourage energy efficient, renewable energy and other environmental improvements for properties in the municipality.

(2) A program mentioned in subsection (1) may provide for the municipality and property owner to agree that the cost of improvements will be added to the owner’s property taxes.

(3) The amount due with respect to subsection (2) is a lien on the land on which the improvement was made.

(4) The agreement mentioned in subsection (2):

- (a) is not to be considered a loan or guarantee; and
- (b) may provide for any of the matters set out in sections 279 to 282.

(5) The Lieutenant Governor in Council may make regulations respecting a program bylaw or any other matter necessary to facilitate or meet the purposes of this section”.

Section 341.1 amended

3-78 Clause 341.1(b) is amended by striking out “city” and substituting “municipality”.

Section 369 amended

3-79 Subsection 369(1) is amended:

(a) by repealing clause (f) and substituting the following:

“(f) any other amount that may be added to the tax roll pursuant to the regulations or an Act”; **and**

(b) by adding the following clause after clause (f):

“(g) any prescribed amount”.

Section 375 amended

3-80 Paragraph 375(5)(a)(vii)(B) is amended by striking out “name, address and telephone number” and substituting “contact information”.

New sections 380.1 and 380.2

3-81 The following sections are added after section 380:

“Bylaws concerning animal control

380.1 Without limiting the generality of clause 8(1)(k), a council may pass a bylaw respecting all or any of the following matters:

- (a) persons who own or harbour animals;
- (b) the number or type of animals owned or harboured by any person;
- (c) animals being at large;
- (d) persons who permit animals to be at large;
- (e) the seizing, impounding, destruction or other disposition of animals found at large.

“Other municipality animal bylaws

380.2 If property is located within a municipality but it belongs to or is under the control and management of another municipality, the first municipality may, by resolution, provide that this Division does not apply to that property if the other municipality has a dangerous animals bylaw that it wishes to enforce on that property”.

New section 390

3-82 Section 390 is repealed and the following substituted:

“Service of documents

390(1) Unless otherwise provided in this Act, any notice, order or document required by this Act or the regulations to be served is to be served:

- (a) personally;
- (b) by registered mail to the last known address of the person being served;
- (c) by posting a copy of the notice, order or document at the land, building or structure or on a vehicle to which the notice, order or document relates; or
- (d) by any other prescribed means.

(2) Subject to the regulations, a notice, order or document served by registered mail is deemed to have been received on the 10th day following the day of its mailing, unless the person to whom it was mailed established that, through no fault of the person, that person did not receive the notice, order or document or that the person received it at a later date.

(3) Irregularity in the service of a notice, order or document does not affect the validity of an otherwise valid notice, order or document.

(4) The Lieutenant Governor in Council may make regulations prescribing service requirements for different sections of this Act or the regulations”.

Section 392 amended

3-83 The following subsection is added after subsection 392(1):

“(1.1) If a matter is referred to the Saskatchewan Municipal Board pursuant to section 19 or 77, the Saskatchewan Municipal Board shall appoint a mediator to assist the parties in resolving the matter in dispute before holding a hearing and making a decision”.

New section 394.2

3-84 Section 394.2 is repealed and the following substituted:

“Compulsory dispute resolution required by the minister

394.2(1) The minister may, at any time, refer any dispute involving one or more municipalities to the Saskatchewan Municipal Board or a member of the Saskatchewan Municipal Board to hold a hearing and make a decision to settle the dispute.

(2) The Saskatchewan Municipal Board or member of the Saskatchewan Municipal Board may, in a decision to resolve a dispute involving one or more municipalities:

- (a) include terms and conditions; and
- (b) make the decision effective on a future date or for a limited time”.

New section 398.1

3-85 The following section is added after section 398:

“Use of information

398.1(1) Subject to subsection (2) and notwithstanding any other Act or regulation, the minister may use and release any information, statement, bylaw, return or document that:

- (a) is required to be submitted to the minister pursuant to this or any other Act or regulation;
- (b) has been made available by the municipality publicly or otherwise; or
- (c) is otherwise in the possession or under the control of the minister.

(2) The minister may use or release any information mentioned in subsection (1) if, in the minister’s opinion, the use or release of the information is consistent with the purpose for which it was prepared, required and submitted or is otherwise in the public interest and does not constitute an unreasonable invasion of privacy or improper disclosure”.

Section 399 amended**3-86(1) Subsection 399(1) is amended:**

- (a) by striking out “or” after clause (e); and**
- (b) by adding the following after clause (f):**

“(g) an investigation, review, report or recommendation by or from any person whose duties include the enforcement of *The Saskatchewan Employment Act* with respect to an offence within that person’s power to investigate; or

“(h) an investigation, review, report or recommendation by or from the Information and Privacy Commissioner pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act*”.

(2) Subsection 399(2.1) is repealed and the following substituted:

“(2.1) The order mentioned in subsection (1.1) may include directions to do the following, in accordance with any terms and conditions the minister considers appropriate:

- (a) remove, repeal, alter, amend or rescind a bylaw, resolution, approval, fee or charge of the municipality or imposed by the municipality; or
- (b) grant any licences, permits, inspections or approvals withheld by or on behalf of a municipality.

“(2.2) Before making an order pursuant to this section, the minister shall provide notice to the council, a member of council, an administrator or a designated officer:

- (a) setting out the facts and circumstances that, in the minister’s opinion, require the council, a member of council, an administrator or a designated officer to take the actions mentioned in subsection (1.1);
- (b) specifying any action that the minister intends to take pursuant to subsection (1.1);
- (c) specifying the directives the minister intends to give pursuant to subsection (2.1); and
- (d) specifying any other order that the minister intends to make as a result of the official examination.

“(2.3) The council, member of council, administrator or designated officer may make representations, in the form, manner and within the period that the minister considers appropriate, respecting the matters set out in the notice mentioned in subsection (2.2).

“(2.4) After considering any representations made pursuant to subsection (2.3), the minister may:

- (a) confirm the order or any other action as set out in the notice;
- (b) revise any of the actions; or
- (c) determine that no action is to be taken.

“(2.5) The minister shall serve a copy of the decision pursuant to subsection (2.4), with reasons, including the dates by which any order will be made or any other actions will be taken, on the council, member of council, administrator or designated officer who made the representations”.

(3) The following subsection is added after subsection 399(5):

“(5.1) The minister may consult with any association or organization before making an order pursuant to this section”.

Section 403 amended

3-87 The following clause is added after clause 403(1)(d):

“(d.1) for the purposes of clause 2(1)(nn), defining, enlarging or restricting the meaning of resource production equipment, including respecting equipment or things, or classes of equipment or things, that are or are not resource production equipment”.

Section 404 amended

3-88 Subsection 404(1) is amended:

(a) by repealing subclause (a)(i) and substituting the following:

“(i) a council, other than with respect to the number of days fixed by section 110.1 and subsections 121(1) and 122(2.1)”; **and**

(b) in clause (b):

(i) by striking out “or” after subclause (ii);

(ii) by adding “or” after subclause (iii); and

(iii) by adding the following subclause after subclause (iii):

“(iv) a council with respect to the number of days fixed by section 110.1 and subsections 121(1) and 122(2.1)”.

Section 405 amended

3-89 Subsection 405(3) is amended:

(a) in the portion preceding clause (a) by striking out “At the end of a year in which” and substituting “Within 12 months after”; and

(b) in clause (a) by striking out “at the end of the year” and substituting “at the end of those 12 months”.

New section 405.1

3-90 The following section is added after section 405:

“Property owner assistance program

405.1(1) If a municipality enters into an agreement with a person to do any work or service for that person on land owned by that person, the municipality and that person may agree that the unpaid amounts for the work or services performed on that person’s land will be added to the tax roll over multiple tax years for the parcel of land that is the subject of the agreement.

(2) If there is an agreement pursuant to subsection (1) to add to the tax roll the unpaid amounts over multiple tax years, a municipality may cause an interest based on the agreement made pursuant to this section to be registered in the Land Titles Registry against the parcel of land that is the subject of the agreement.

(3) If an interest is registered pursuant to subsection (2), the interest runs with the land and is binding on the owner and any subsequent owners.

(4) The municipality shall cause an interest that is registered pursuant to subsection (2) to be discharged when the full amount of the cost of the work or services has been paid.

(5) If an agreement is made pursuant to subsection (1), a municipality may specify in that agreement the conditions on which sections 279 to 282 will or will not apply to the amounts that are added to the tax roll pursuant to subsection (1).

(6) An agreement made pursuant to subsection (1) is not considered a loan within the meaning of Division 8 and does not require a municipality to follow the processes outlined in Division 8”.

PART 4

The Northern Municipalities Act, 2010

SS 2010, c N-5.2 amended

4-1 *The Northern Municipalities Act, 2010* is amended in the manner set forth in this Part.

Section 2 amended

4-2 Subsection 2(1) is amended:

(a) in clause (d) in the portion preceding subclause (i) by adding “, subject to the regulations,” after “means”;

(b) by adding the following clause after clause (h):

“(h.1) ‘**contact information**’ means:

(i) the name of a person; and

(ii) whichever of the following options is considered by the sender to be most likely to effect receipt by the intended recipient:

(A) mailing address;

(B) street or civic address;

(C) email address;

(D) telephone number;

(E) fax number;

(F) any other prescribed option”;

(c) in clause (s) in the portion preceding subclause (i) by adding “, subject to the regulations” after “means”;

(d) by adding the following clause after clause (v):

“(v.1) ‘**mail**’ includes, subject to the regulations, email or other means of electronic transmission, if the email address has been provided by the recipient, and that person has consented to receive mail electronically, except where this Act requires a document to be sent by registered mail or served pursuant to section 411”;

(e) by repealing clause (bb) and substituting the following:

“(bb) **‘newspaper’**, if this Act requires notice of a matter to be published in a newspaper, means:

(i) a publication or local periodical that is distributed at least weekly in a municipality or area that is affected by a matter, but does not include a publication primarily for advertising or an advertising supplement to or contained in a newspaper; or

(ii) if a council is of the opinion that the requirements to publish in a newspaper are not feasible or practicable, the council may decide on other means of publishing or otherwise providing notice, including publishing the notice on a website or by other electronic means as long as the notice is given within the same period and with the same frequency required by this Act and the means are set out in the public notice policy adopted by council bylaw”;

(f) by repealing clause (zz) and substituting the following:

“(zz) **‘resource production equipment’** means resource production equipment as defined in the regulations”;

(g) in clause (fff) by adding “, subject to the regulations,” after “means”;

(h) in clause (iii) by adding “, subject to the regulations,” after “includes”; and

(i) in clause (lll) in the portion preceding subclause (i) by adding “, subject to the regulations,” after “means”.

Section 8 amended**4-3(1) The following clauses are added after clause 8(2)(k):**

“(l) requiring dispute resolution or mediation before:

(i) an owner or occupant appeals an order to remedy bylaw contraventions; or

(ii) the municipality remedies contraventions of bylaws;

“(m) providing for the sending of notices of contravention of bylaws, including parking offences, by ordinary mail, email or other means and determining the address to which notices are sent”.

(2) Clause 8(5)(a) is repealed and the following substituted:

“(a) administering and regulating the activity and enforcing the regulatory scheme for which the licence, inspection, permit or approval is required”.

Section 19 amended**4-4(1) The following subsections are added after subsection 19(1):**

“(1.1) One or more parties to a dispute may nominate an adjudicator to hear and resolve the matter in dispute.

“(1.2) If the parties to the dispute cannot agree on an adjudicator within 5 days after the nomination mentioned in subsection (1.1), the dispute may be submitted by any 1 party to be resolved pursuant to section 413”.

(2) Subsections 19(2) to (4) are repealed.**(3) Subsection 19(12) is repealed.**

Section 22 amended**4-5(1) Clause 22(1)(b) is amended:**

- (a) **in subclause (i) by adding “, receiver” after “producer”; and**
- (b) **in subclause (iii) by striking out “requires the use of a street or road” and substituting “uses a street or road”.**

(2) Subsection 22(2) is repealed and the following substituted:

“(2) Notwithstanding any other provision of this Act, a council may, by agreement with a person mentioned in clause (1)(b), enter into an agreement with that person for a schedule of charges or fees if that schedule of charges or fees is applied consistently within the municipality for other agreements.

“(2.1) An agreement pursuant to subsection (2):

- (a) must contain provisions regarding dispute resolution;
- (b) is subject to subsection (7); and
- (c) is not subject to section 23”.

(3) Subsection 22(5) is repealed and the following substituted:

“(5) A municipality may enter into an agreement for the purposes mentioned in subsection (1):

- (a) with one or more other municipalities;
- (b) with more than one person:
 - (i) if all persons with an agreement relating to the same road are treated consistently; and
 - (ii) if all persons with agreements for similar activities are treated consistently within the municipality.

“(6) The minister may require reporting of agreements pursuant to this section in the form and manner that the minister considers appropriate.

“(7) The Lieutenant Governor in Council may make regulations:

- (a) specifying the nature of transports mentioned in clause (1)(b);
- (b) specifying persons for whom road maintenance agreements may not be required by a municipality”.

Section 23 amended**4-6 Subsection 23(2) is amended:**

- (a) **by adding “or” after clause (b); and**
- (b) **by adding the following clause after clause (b):**
 - “(c) any other prescribed matter”.

Section 24 amended**4-7 Clause 24(3)(a) is amended by adding “by bylaw” after “council”.**

Section 56 amended

4-8 Clause 56(8)(a) is amended by adding “or on the application of the minister” after “subsection (1)”.

Section 71 amended

4-9 Subsection 71(1) is repealed and the following substituted:

“(1) A local advisory committee on behalf of the residents of a northern settlement, the board of a cabin owners’ association, if there is one, on behalf of the residents of a resort subdivision, or the residents of any area in the district that is subdivided for residential purposes may apply by petition to the minister, in accordance with the procedures set out in Division 2, for the incorporation of a northern hamlet if the northern settlement, resort subdivision or area meets the prescribed criteria for all of the following:

- (a) population;
- (b) number of separate dwellings or business premises;
- (c) taxable assessment;
- (d) any other prescribed criteria.

“(1.1) For the purposes of subsection (1), the regulations may establish minimums and other criteria for resort subdivisions to incorporate as a northern hamlet that are different than those for incorporation of a northern settlement as a northern hamlet”.

Section 78 amended

4-10 Subsection 78(4) is amended by adding “and available for public inspection in accordance with section 133” after “recorded”.

Section 86 amended

4-11 Subsection 86(1) is amended by adding “and in any other manner the minister considers appropriate” after “Part I of the Gazette”.

Section 91 amended

4-12 Subsection 91(5) is amended by striking out “three years” and substituting “4 years”.

Section 92 amended

4-13 Subsection 92(2) is repealed.

Section 100.1 amended

4-14 Clause 100.1(2)(e) is repealed and the following substituted:

“(e) the procedures for calling a special meeting of the council pursuant to section 141, including designating a person to call a special meeting if the position of administrator is vacant or the administrator is unable to act”.

Section 101 amended

4-15 Subsection 101(2) is repealed.

New sections 126 and 126.1**4-16 Section 126 is repealed and the following substituted:****“Administrator**

126(1) Every council shall establish a position of administrator of the municipality.

(2) A person who holds the position of administrator must be qualified as required by *The Urban Municipal Administrators Act*.

(3) The administrator shall perform the duties and exercise the powers and functions that are assigned to an administrator:

(a) by this and other Acts; and

(b) by the council.

(4) Subject to the approval of the council, an administrator may delegate any of the administrator’s powers, duties or functions to any employee of the municipality.

“Appointment of Acting Administrator

126.1(1) In this section, **‘board of examiners’** means the board of examiners established pursuant to an agreement mentioned in section 16 of *The Urban Municipal Administrators Act* or section 11 of *The Rural Municipal Administrators Act*, as the case may be.

(2) If for any reason the administrator is unable to act, a council shall appoint a person within 30 days after the administrator is unable to act to fill the position of administrator of the municipality in an acting capacity.

(3) A person appointed pursuant to subsection (2) may fill the position of administrator of the municipality in an acting capacity:

(a) for a period of not more than 3 months; or

(b) any longer period that the board of examiners may allow”.

Section 127 amended**4-17 The following subsections are added after subsection 127(2):**

“(3) The administrator is responsible for the hiring, suspension and dismissal of all employees of the municipality, unless otherwise provided by council.

“(4) The administrator may witness any oaths or affirmations required pursuant to this Act”.

New sections 130 and 130.1**4-18 Section 130 is repealed and the following substituted:****“Appointment, suspension and revocation**

130(1) The appointment of a person to the position of administrator may be made, suspended or revoked only if the majority of the council vote to do so.

(2) Notwithstanding subsection 127(3), the appointment of a person to the position of full-time municipal solicitor may be made, suspended or revoked only if the majority of council vote to do so, unless otherwise delegated by council.

“Protection from reprisal

130.1(1) In this section:

(a) **‘reprisal’** means any of the following measures taken against a municipal employee who has acted pursuant to any of clauses (2)(a) to (c):

(i) a dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work or reprimand;

(ii) any measure, other than one mentioned in subclause (i), that adversely affects the municipal employee’s employment or working conditions or hinders the performance of that person’s duties;

(iii) a threat to take any of the measures mentioned in subclauses (i) or (ii);

(iv) a discriminatory action as defined in *The Saskatchewan Employment Act*;

(b) **‘wrongdoing’** includes any of the following committed by a council, member of council or municipal employee:

(i) a contravention of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(ii) a contravention of any municipal bylaw or policy;

(iii) a contravention of the code of ethics, rules of conduct or procedures applicable to every member of council imposed by this and any other Act and by council;

(iv) an act or omission that creates:

(A) substantial and specific danger to life, health or safety of persons; or

(B) a substantial and specific danger to the environment;

(v) gross mismanagement of public funds or a public asset;

(vi) knowingly directing or counselling someone to commit a contravention, an act or an omission mentioned in subclauses (i) to (v).

(2) No person shall take or direct a reprisal against a municipal employee because the employee has, in good faith:

(a) sought advice about making a disclosure of wrongdoing from or made a disclosure of wrongdoing to any of the following:

(i) any person designated by the municipality in its employee code of conduct or otherwise to deal with the disclosure of wrongdoing;

(ii) any person directly or indirectly responsible for supervising the employee;

(iii) the Ombudsman, pursuant to and in accordance with *The Ombudsman Act, 2012*;

(iv) any person responsible for enforcing employment standards or occupational health and safety standards in accordance with *The Saskatchewan Employment Act*;

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- (v) any person designated by the minister pursuant to this or any Act with respect to a matter within that person's power to review, audit, inspect or investigate;
 - (vi) any person whose duties include enforcement of another Act or Act of the Parliament of Canada with respect to an offence within that person's power to investigate;
 - (vii) any member of a police or law enforcement agency with respect to an offence within its power to investigate;
- (b) participated in a review or investigation of a wrongdoing; or
 - (c) declined to participate in a wrongdoing.
- (3) Every person who contravenes subsection (2) is guilty of an offence and liable on summary conviction to:
- (a) in the case of an individual, a fine of not more than \$10,000, or imprisonment for not more than 1 year, or to both;
 - (b) in the case of a corporation, a fine of not more than \$25,000; and
 - (c) in the case of a continuing offence by an individual or a corporation, to a maximum daily fine of not more than \$2,500 for each day or part of a day during which the offence continues.
- (4) A member of council who knowingly votes for a resolution authorizing any of the measures or actions in clause (1)(a) is subject to liability in accordance with clause (3)(a).
- (5) Nothing in this section shall be construed to limit any right that any municipal employee may have pursuant to this Act, any other Act or municipal bylaws or policies:
- (a) to disclose information about wrongdoing to a lawful authority; or
 - (b) to seek protection from reprisal as a result of the disclosure.
- (6) Nothing in this section shall be construed to provide protection for a municipal employee for that person's wrongdoing, and that person is subject to appropriate disciplinary action".

Section 132 amended**4-19(1) Subsection 132(2) is amended:**

- (a) by repealing clause (d); and
- (b) by adding the following clause after clause (f):
 - “(g) any other prescribed document”.

(2) The following subsection is added after subsection 132(2):

“(2.1) Tax and assessment rolls must be preserved for a minimum of 10 years or any longer period established by a council in its records retention and disposal schedule”.

(3) The following subsection is added after subsection 132(3):

“(4) The Lieutenant Governor in Council may make regulations prescribing additional types of documents to be included in subsection (2)”.

Section 133 amended

4-20(1) Subsection 133(1) is amended:

(a) by adding the following clause after clause (c):

“(c.1) the financial statements of any controlled corporation, municipal development corporation, service district, public utility board prepared in accordance with section 209 and auditor’s report prepared in accordance with subsection 211(1)”;

(b) by striking out “and” after clause (d);

(c) by adding “and” after clause (e); and

(d) by adding the following clause after clause (e):

“(f) any other prescribed report or document”.

(2) The following subsection is added after subsection 133(2):

“(2.1) The municipality may provide additional means of public inspection of the documents mentioned in subsection (1), including posting the documents on the municipality’s website”.

(3) The following subsection is added after subsection 133(3):

“(4) The Lieutenant Governor in Council may make regulations prescribing additional types of documents to be included in subsection (1)”.

Section 140 amended

4-21 The following subsection is added after subsection 140(2):

“(2.1) A council shall ensure that the time between regularly scheduled council meetings does not exceed 60 days”.

Section 142 amended

4-22(1) Clause 142(1)(c) is repealed and the following substituted:

“(c) at the request of the member, provided or sent according to the member’s contact information”.

(2) Subsection 142(2) is amended by adding “or on the municipality’s website” after “municipality’s office”.

Section 145 amended

4-23 Clause 145(p) is amended by striking out “or a person acting in a full-time capacity as a municipal solicitor”.

Section 159.1 amended

4-24 Subsection 159.1(1) is amended by striking out “the private interests of a closely connected person” and substituting “to improperly further another person’s private interests”.

Section 162.2 amended

4-25 Section 162.2 is amended by striking out “the private interests of a closely connected person” and substituting “to improperly further another person’s private interests”.

Section 165 amended

4-26 Subsection 165(1) is amended:

(a) by repealing clause (c) and substituting the following:

“(c) is absent from all regular council meetings held during any period of 3 consecutive months during which at least 2 meetings of the council have been held, starting with the date that the first meeting is missed, unless the absence is authorized by:

- (i) a resolution of council; or
- (ii) a leave of absence policy adopted by council”; **and**

(b) by repealing subclause (e)(ii) and substituting the following:

“(ii) subsection 130.1(2), section 160 or 162 of this Act”.

Section 191 amended

4-27 Clause 191(b) is repealed and the following substituted:

“(b) the rate or rates of interest or how the rate of interest is calculated, the term, and the terms of repayment of the borrowing”.

Section 207 amended

4-28(1) Subsection 207(3) is repealed and the following substituted:

“(3) A municipality shall publicize its financial statements, or a summary of them, and the auditor’s report of the financial statements, in the manner the council considers appropriate by September 1 of the year following the financial year for which the financial statements and report have been prepared”.

(2) Subsection 207(5) is amended by striking out “publish or mail” and substituting “publicize”.

New section 207.1

4-29 The following section is added after section 207:

“Public accounts

207.1(1) On or before the prescribed date of each year, a municipality shall cause to be prepared and presented to the council the municipality’s public accounts for the preceding financial year.

(2) Subject to the regulations, the public accounts prepared pursuant to subsection (1) must:

- (a) incorporate the audited financial statement of the municipality; and
- (b) show clearly and fully:
 - (i) the remuneration paid to each employee and member of council; and
 - (ii) any other remuneration, expenditures, grants and contributions of goods and services as set out in the regulations.

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- (3) The municipality shall cause all public accounts of the municipality:
- (a) to be open for inspection by any person at all reasonable hours; and
 - (b) to be printed in sufficient quantity and distributed in a manner that will satisfy any reasonable requests for copies.
- (4) The minister may make regulations respecting:
- (a) requirements for or limitations on public accounts; and
 - (b) the prescribed date for the purposes of subsection (1)".

Section 211 amended**4-30 Subsections 211(2) to (4) are repealed and the following substituted:**

"(2) An auditor appointed pursuant to subsection 210(2) shall report to the council on the annual financial statements of a controlled corporation in accordance with the form and the reporting standards recommended from time to time by Chartered Professional Accountants of Canada.

"(3) An auditor mentioned in subsection (1) or (2) shall:

- (a) separately report to the council any improper or unauthorized transaction or non-compliance with this or another Act or a bylaw that is noted during the course of an audit; and
- (b) provide a copy of any report made pursuant to clause (a) to the minister.

"(4) The council may require any further examination and report from an auditor mentioned in subsection (1) or (2)".

Section 214 amended**4-31 Subsection 214(5) is repealed and the following substituted:**

"(5) A person who is found liable pursuant to subsection (1) or (2) is, in addition to any other penalty or consequence, disqualified from holding office in the municipality or in any other municipality for 12 years after the date of the finding of liability".

Section 215 amended**4-32 Section 215 is amended:**

- (a) in clause (j) by adding ", subject to the regulations," after "means"; and
- (b) in clause (k) by adding ", subject to the regulations," after "means".

Section 218 amended

4-33 Subsection 218(4.1) is amended by adding "and subject to the regulations" after "The Assessment Management Agency Act".

Section 221 amended

4-34 Subsection 221(4) is amended by striking out "September 1" and substituting "July 1".

Section 222 amended

4-35 Subsection 222(11) is amended by adding "unless the statement is requested by the assessor," after "subsection (10),".

Section 226 amended

4-36 Clause 226(b) is repealed and the following substituted:

“(b) the contact information of the assessed person or, if that information is not known and cannot be ascertained after reasonable inquiry, a note stating that the contact information is not known”.

Section 228 amended

4-37(1) Subsection 228(3) is amended by striking out “house trailer” wherever it appears and in each case substituting “trailer or mobile home”.

(2) Subsection 228(4) is amended by striking out “a mailing address” and substituting “that person’s contact information”.

Section 236 amended

4-38 Subsection 236(1) is amended:

(a) by adding the following clause after clause (c):

“(c.1) the contact information of the municipality to enable an assessed person to discuss the notice of assessment or potential appeal in accordance with clause 246(6)(d)”; **and**

(b) by repealing clause (d) and substituting the following:

“(d) the contact information for the secretary of the board of revision and any other designated officer with whom an appeal is required to be filed;

“(d.1) any appeal fees set by a municipality pursuant to section 245”.

Section 237 amended

4-39(1) Subsection 237(3) is repealed and the following substituted:

“(3) A copy of the assessment notice may be sent according to the contact information of the assessed person using the option determined by that person”.

(2) Subsection 237(4) is amended by striking out “If the mailing address of the assessed person and the assessed property is” and substituting “If the contact information of the assessed person and the mailing address of the assessed property are”.

Section 241 amended

4-40(1) Subsection 241(1) is repealed and the following substituted:

“(1) A council shall appoint no fewer than 3 persons to constitute the board of revision for the municipality before the assessment roll is prepared pursuant to section 225”.

(2) Subsection 241(13) is repealed and the following substituted:

“(13) The Lieutenant Governor in Council may make regulations:

(a) prescribing rules of procedure for boards of revision; and

(b) respecting the appointment of and training and qualifications for members of boards of revision”.

Section 242 amended**4-41 The following subsection is added after subsection 242(2):**

“(3) The Lieutenant Governor in Council may make regulations respecting the appointment, remuneration and duties of secretaries of boards of revision”.

New section 242.1**4-42 The following section is added after section 242:****“Provincial Registrar of boards of revision**

242.1(1) The Lieutenant Governor in Council may establish an Office of the Registrar for the purposes of receiving, reviewing and processing appeals for any boards of revision.

(2) The minister may provide the Office of the Registrar with any supplies and the services of any employees under the minister’s administration that the minister considers to be required for the Office of the Registrar to carry out the powers and duties of that office.

(3) The minister may delegate any duties of a secretary of a board of revision to the Office of the Registrar.

(4) The Lieutenant Governor in Council may make regulations respecting:

(a) the powers and duties of the Office of the Registrar; and

(b) rules and procedures for receiving, reviewing and processing appeals pursuant to subsection (1)”.

Section 243 amended**4-43 The following subsection is added after subsection 243(4):**

“(5) The Lieutenant Governor in Council may make regulations respecting district boards of revision or other boards of revision”.

New section 243.1**4-44 The following section is added after section 243:****“Provincially established boards of revision**

243.1(1) Notwithstanding section 241, the Lieutenant Governor in Council may, by order, appoint persons to serve on boards of revision established for the purposes of Divisions 5 and 6 of this Part.

(2) Subject to the regulations, the persons appointed and boards established pursuant to this section have all the powers, duties and responsibilities given to a board of revision pursuant to this Part.

(3) A board of revision established pursuant to this section is deemed to be the appointed board of revision pursuant to section 241 for the purposes of hearing appeals:

(a) for any municipalities located in the prescribed areas;

(b) of any prescribed type;

(c) for any municipality whose board of revision does not meet the prescribed requirements pursuant to subsection 241(12); or

(d) for any prescribed purpose, circumstance or situation.

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- (4) The minister may provide any clerical or other assistance to boards of revision established pursuant to this section that the boards may require.
- (5) Every member of a board of revision appointed pursuant to subsection (1):
- (a) must meet the prescribed qualifications and complete the prescribed training;
 - (b) holds office at pleasure for a term not exceeding the prescribed term and until a successor is appointed; and
 - (c) is eligible for reappointment.
- (6) A chairperson and a vice-chairperson must be designated, and the maximum rates for the remuneration and reimbursement for expenses that may be paid to members must be established in the order that appoints a member of the board of revision.
- (7) The Lieutenant Governor in Council may make regulations for the purposes of the boards of revision established pursuant to this section respecting the following:
- (a) the area within which members appointed pursuant to this section may hear and decide appeals;
 - (b) the training, qualifications and terms of office of members;
 - (c) the manner in which remuneration for members and other expenses of boards are to be paid and funded;
 - (d) reporting requirements;
 - (e) the appointment of a secretary;
 - (f) rules and procedures for receiving, hearing, notifying, determining and deciding appeals;
 - (g) the application, modification or suspension of any provision of this Part;
 - (h) the circumstances in which a municipality may appoint and utilize its own board of revision; and
 - (i) any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this section”.

Section 244 amended

4-45(1) Clause 244(1)(b) is repealed and the following substituted:

“(b) any property that has a total assessment of the prescribed amount or less”.

(2) The following subsection is added after subsection 244(4):

“(5) The Lieutenant Governor in Council may make regulations for the purposes of subsection (1) prescribing different amounts for different classes of properties and different types of municipalities”.

Section 246 amended

4-46 Clause 246(6)(e) is amended by striking out “mailing address and fax number” wherever it appears and in each case substituting “contact information”.

Section 247 amended

4-47(1) The following subsection is added after subsection 247(2):

“(2.1) Subsection (2) does not apply to an amended assessment notice or a notice of supplementary assessment”.

(2) Clause 247(4)(a) is repealed and the following substituted:

“(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal”.

Section 249 amended

4-48 The following subsection is added after subsection 249(2):

“(2.1) If the owner of the property is not a party to the appeal, that owner must be notified of the agreement pursuant to subsection (1)”.

Section 250 amended

4-49 Subsection 250(3) is repealed the following substituted:

“(3) The secretary of the board of revision may serve the notice pursuant to this section:

- (a) according to the contact information included in the notice of appeal; or
- (b) if no contact information is included in the notice of appeal, at the address entered on the assessment roll”.

Section 259 amended

4-50(1) Clause 259(2)(b) is repealed and the following substituted:

“(b) producing a transcript by a court reporting service of a recording or part of a recording”.

(2) Clause 259(4)(a) is repealed and the following substituted:

“(a) pursuant to this section, a transcript of the recording or part of a recording is made by a court reporting service of a hearing or of part of a hearing or of the testimony of a witness testifying at a hearing”.

Section 261 amended

4-51(1) Subsection 261(5) is amended:

(a) by striking out “A board” and substituting “Unless otherwise provided for in the regulations, a board”; and

(b) by striking out “90 days” and substituting “180 days”.

(2) Subsection 261(6) is repealed.

(3) Subsection 261(7) is amended in the portion preceding subclause (i) by striking out “registered” and substituting “ordinary”.

(4) The following subsection is added after subsection 261(7):

“(8) If the owner of the property is not a party to the appeal, that owner must be notified of the decision pursuant to subsection (1)”.

Section 262 amended

4-52 Section 262 is amended by striking out “The assessor shall” and substituting “Subject to section 278 and the regulations, the assessor shall”.

Section 268 amended

4-53 Clause 268(5.1)(a) is repealed and the following substituted:

“(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal”.

Section 271 amended

4-54 Section 271 is amended:

(a) by renumbering it as subsection 271(1);

(b) by repealing clause (1)(f) and substituting the following:

“(f) a transcript by a court reporting service, if any, of the proceedings before the board of revision”; **and**

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

“(2) The board of revision shall provide the materials mentioned in clauses (1)(a) to (f) to the appeal board within 14 days after the request of the appeal board”.

Section 277 amended

4-55(1) The following subsection is added after subsection 277(5):

“(5.1) If the owner of the property is not a party to the appeal, that owner must be notified of the decision pursuant to subsection (1)”.

(2) Subsection 277(6) is amended by striking out “If the assessment” and substituting “Subject to the regulations, if the assessment”.

Section 278 amended

4-56 Subsection 278(1) is amended by striking out “A decision” and substituting “Subject to the regulations, a decision”.

Section 285 amended

4-57 Clause 285(1)(b) is amended by striking out “name and mailing address” and substituting “contact information”.

Section 289 amended

4-58(1) Subsection 289(1) is repealed and the following substituted:

“(1) A copy of the tax notice may be sent by any means to the contact information of the taxpayer”.

(2) Subsection 289(2) is amended by striking out “If the mailing address of the taxpayer and the taxable property is” and substituting “If the contact information of the taxpayer and the mailing address of the taxable property are”.

Section 294 amended**4-59(1) Subsection 294(1) is repealed and the following substituted:**

“(1) If a person pays only a portion of the taxes owing with respect to a property, a designated officer shall apportion the amount paid between the municipality and any other taxing authorities on whose behalf the municipality levies taxes in shares corresponding to their respective tax rates, applied in the following order:

- (a) payment of any arrears of taxes due with respect to the property;
- (b) payment of current taxes owed on the property”.

(2) The following subsection is added after subsection 294(2):

“(3) The Lieutenant Governor in Council may make regulations for the purpose of applying this section in combination with other sections in this Division respecting the payment of taxes and arrears of taxes”.

New section 294.1**4-60 The following section is added after section 294:****“Municipality to pay proportionate amount to other taxing authorities**

294.1(1) Notwithstanding any other Act or law, if a municipality receives from any person a payment equal to all or any part of taxes owing with respect to a property, whether as a prepayment, an advance or an amount based on tax indebtedness or any other factor, the municipality shall pay to all other taxing authorities on whose behalf it levies taxes the proportionate amount that the municipality is obligated to pay to the other taxing authorities as if the taxes had been paid.

(2) Subsection (1) and section 294 apply whether or not the payment received by the municipality is characterized as a tax payment”.

Section 305 amended**4-61 Clauses 305(1)(b) and (c) are repealed and the following substituted:**

“(b) respecting mill rate factors, minimum tax and base tax that may be set by a council;

“(c) prescribing classes of assessment of property for which a mill rate factor, minimum tax and base tax may not be set”.

New section 311.1**4-62 The following section is added after section 311:****“Mill rate survey return**

311.1(1) A municipality shall submit to the minister information respecting tax tools, tax rates and any other taxes and rates levied or proposed to be levied pursuant to this Part by the prescribed date of the current year.

(2) The information submitted pursuant to subsection (1) must be in the form and manner directed by the minister”.

Section 313 amended

4-63 Clause 313(1)(d) is repealed and the following substituted:

“(d) land and buildings, including buildings used for offices, storage and maintenance, and any land used in conjunction with those buildings or that portion of a building, other than any part of those buildings or any portion of a building used as a dwelling and the land used in connection with a dwelling, that are:

- (i) occupied by an Indian band and used for the purposes of a school; and
- (ii) owned by:
 - (A) an Indian band;
 - (B) a school division;
 - (C) any person, society or organization whose property is exempt from taxation pursuant to this or any other Act; or
 - (D) any other prescribed entity”.

Section 314 amended

4-64 Clause 314(2)(b) is repealed.

Section 324 amended

4-65 Subsection 324(1) is amended by adding “and the regulations” after “subsection (2)”.

Section 325 amended

4-66 Subsection 325(1) is amended in the portion preceding clause (a) by striking out “two or more” and substituting “one or more”.

Section 326 amended

4-67 Section 326 is amended:

- (a) in clause (a) by striking out “council” and substituting “municipality”;
- (b) in clause (b) by striking out “council” and substituting “municipality”; and
- (c) in clause (c) by striking out “council” and substituting “municipality”.

New section 336.1

4-68 The following section is added after section 336:

“Provisions for financing environmental improvements

336.1(1) A council may, by bylaw, establish a program designed to encourage energy efficient, renewable energy and other environmental improvements for properties in the municipality.

(2) A program mentioned in subsection (1) may provide for the municipality and property owner to agree that the cost of improvements will be added to the owner’s property taxes.

(3) The amount due with respect to subsection (2) is a lien on the land on which the improvement was made.

- (4) The agreement mentioned in subsection (2):
 - (a) is not to be considered a loan or guarantee; and
 - (b) may provide for any of the matters set out in sections 300 to 303.
- (5) The Lieutenant Governor in Council may make regulations respecting a program bylaw or any other matter necessary to facilitate or meet the purposes of this section”.

Section 361.1 amended

4-69 Clause 361.1(b) is amended by striking out “city” and substituting “municipality”.

Section 389 amended

4-70 Subsection 389(1) is amended:

- (a) **by repealing clause (f) and substituting the following:**

“(f) any other amount that may be added to the tax roll pursuant to the regulations or an Act”; **and**
- (b) **by adding the following clause after clause (f):**

“(g) any prescribed amount”.

Section 396 amended

4-71 Paragraph 396(5)(a)(vii)(B) is amended by striking out “name, address and telephone number” and substituting “contact information”.

New section 411

4-72 Section 411 is repealed and the following substituted:

“Service of documents

- 411(1)** Unless otherwise provided in this Act, any notice, order or document required by this Act or the regulations to be served is to be served:
- (a) personally;
 - (b) by registered mail to the last known address of the person being served;
 - (c) by posting a copy of the notice, order or document at the land, building or structure or on a vehicle to which the notice, order or document relates; or
 - (d) by any other prescribed means.
- (2) Subject to the regulations, a notice, order or document served by registered mail is deemed to have been received on the 10th day following the day of its mailing, unless the person to whom it was mailed established that, through no fault of the person, that person did not receive the notice, order or document or that the person received it at a later date.
- (3) Irregularity in the service of a notice, order or document does not affect the validity of an otherwise valid notice, order or document.
- (4) The Lieutenant Governor in Council may make regulations prescribing service requirements for different sections of this Act or the regulations”.

Section 413 amended**4-73 The following subsection is added after subsection 413(1):**

“(1.1) If a matter is referred to the Saskatchewan Municipal Board pursuant to section 19, the Saskatchewan Municipal Board shall appoint a mediator to assist the parties in resolving the matter in dispute before holding a hearing and making a decision”.

New section 415.2**4-74 Section 415.2 is repealed and the following substituted:****“Compulsory dispute resolution required by the minister**

415.2(1) The minister may, at any time, refer any dispute involving one or more municipalities to the Saskatchewan Municipal Board or a member of the Saskatchewan Municipal Board to hold a hearing and make a decision to settle the dispute.

(2) The Saskatchewan Municipal Board or member of the Saskatchewan Municipal Board may, in a decision to resolve a dispute involving one or more municipalities:

- (a) include terms and conditions; and
- (b) make the decision effective on a future date or for a limited time”.

New section 419.1**4-75 The following section is added after section 419:****“Use of information**

419.1(1) Subject to subsection (2) and notwithstanding any other Act or regulation, the minister may use and release any information, statement, bylaw, return or document that:

- (a) is required to be submitted to the minister pursuant to this or any other Act or regulation;
- (b) has been made available by the municipality publicly or otherwise; or
- (c) is otherwise in the possession or under the control of the minister.

(2) The minister may use or release any information mentioned in subsection (1) if, in the minister’s opinion, the use or release of the information is consistent with the purpose for which it was prepared, required and submitted or is otherwise in the public interest, and does not constitute an unreasonable invasion of privacy or improper disclosure”.

Section 420 amended**4-76(1) Subsection 420(1) is repealed and the following substituted:**

“(1) In this section, ‘official examination’ means:

- (a) a report pursuant to section 211;
- (b) an audit pursuant to section 416;
- (c) an inspection pursuant to section 417;
- (d) an inquiry pursuant to section 418;

(e) an investigation, review, report or recommendation by or from the Ombudsman pursuant to *The Ombudsman Act, 2012*;

(f) an investigation, review, report or recommendation by or from any person whose duties include the enforcement of *The Saskatchewan Employment Act* with respect to an offence within that person's power to investigate; or

(g) an investigation, review, report or recommendation by or from the Information and Privacy Commissioner pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act*".

(2) Subsection 420(2.1) is repealed and the following substituted:

"(2.1) The order mentioned in subsection (1.1) may include directions to do the following, in accordance with any terms and conditions the minister considers appropriate:

(a) remove, repeal, alter, amend or rescind a bylaw, resolution, approval, fee or charge of the municipality or imposed by the municipality; or

(b) grant any licences, permits, inspections or approvals withheld by or on behalf of a municipality.

"(2.2) Before making an order pursuant to this section, the minister shall provide notice to the council, a member of council, an administrator or a designated officer:

(a) setting out the facts and circumstances that, in the minister's opinion, require the council, a member of council, an administrator or a designated officer to take the actions mentioned in subsection (1.1);

(b) specifying any action that the minister intends to take pursuant to subsection (1.1);

(c) specifying the directives the minister intends to give pursuant to subsection (2.1); and

(d) specifying any other order that the minister intends to make as a result of the official examination.

"(2.3) The council, member of council, administrator or designated officer may make representations, in the form, manner and within the period that the minister considers appropriate, respecting the matters set out in the notice mentioned in subsection (2.2).

"(2.4) After considering any representations made pursuant to subsection (2.3), the minister may:

(a) confirm the order or any other action as set out in the notice;

(b) revise any of the actions; or

(c) determine that no action is to be taken.

"(2.5) The minister shall serve a copy of the decision pursuant to subsection (2.4), with reasons, including the dates by which any order will be made or any other actions will be taken, on the council, member of council, administrator or designated officer who made the representations".

(3) The following subsection is added after subsection 420(5):

"(5.1) The minister may consult with any association or organization before making an order pursuant to this section".

Section 426 amended

4-77 Subsection 426(6) is amended by striking out “northern municipal operating grants” and substituting “revenue sharing”.

Section 428 amended

4-78 Subsection 428(3) is amended by striking out “on capital works” and substituting “in the manner approved by the minister”.

Section 429 amended

4-79 Clause 429(1)(b) is amended by striking out “capital and operating”.

Section 432 amended

4-80 Clause 432(4)(a) is amended by striking out “northern municipal operating grants” and substituting “revenue sharing”.

New section 435

4-81 Section 435 is repealed and the following substituted:

“Fiscal year

435 The fiscal year of the northern municipal trust account is the period commencing on April 1 in one year and ending on March 31 in the following year”.

New section 438

4-82 Section 438 is repealed and the following substituted:

“Annual report

438(1) In each fiscal year, the board shall submit to the minister, in accordance with section 13 of *The Executive Government Administration Act*:

- (a) a report on the business of the northern municipal trust account for its preceding fiscal year; and
- (b) a financial statement on the business of the northern municipal trust account for its preceding fiscal year.

(2) In accordance with section 13 of *The Executive Government Administration Act*, the minister shall lay before the Legislative Assembly each report and financial statement that the minister receives pursuant to this section”.

Section 439 amended

4-83 The following clause is added after clause 439(1)(d):

“(d.1) for the purposes of clause 2(1)(zz), defining, enlarging or restricting the meaning of resource production equipment, including respecting equipment or things, or classes of equipment or things, that are or are not resource production equipment”.

Section 440 amended**4-84 Subsection 440(1) is amended:****(a) by repealing subclause (a)(i) and substituting the following:**

“(i) a council, other than with respect to the number of days fixed by section 126.1 and subsections 139(1) and 140(2.1)”; **and**

(b) in clause (b):

(i) by striking out “or” after subclause (ii);

(ii) by adding “or” after subclause (iii); and

(iii) by adding the following subclause after subclause (iii):

“(iv) a council with respect to the number of days fixed by section 126.1 and subsections 139(1) and 140(2.1)”.

Section 441 amended**4-85 Subsection 441(3) is amended:**

(a) in the portion preceding clause (a) by striking out “At the end of a year in which” and substituting “Within 12 months after”; and

(b) in clause (a) by striking out “at the end of the year” and substituting “at the end of those 12 months”.

New section 441.1**4-86 The following section is added after section 441:****“Property owner assistance program**

441.1(1) If a municipality enters into an agreement with a person to do any work or service for that person on land owned by that person, the municipality and that person may agree that the unpaid amounts for the work or services performed on that person’s land will be added to the tax roll over multiple tax years for the parcel of land that is the subject of the agreement.

(2) If there is an agreement pursuant to subsection (1) to add to the tax roll the unpaid amounts over multiple tax years, a municipality may cause an interest based on the agreement made pursuant to this section to be registered in the Land Titles Registry against the parcel of land that is the subject of the agreement.

(3) If an interest is registered pursuant to subsection (2), the interest runs with the land and is binding on the owner and any subsequent owners.

(4) The municipality shall cause an interest that is registered pursuant to subsection (2) to be discharged when the full amount of the cost of the work or services has been paid.

(5) If an agreement is made pursuant to subsection (1), a municipality may specify in that agreement the conditions on which sections 300 to 303 will or will not apply to the amounts that are added to the tax roll pursuant to subsection (1).

(6) An agreement made pursuant to subsection (1) is not considered a loan within the meaning of Division 8 and does not require a municipality to follow the processes outlined in Division 8”.

PART 5

Consequential Amendments and Coming into Force

RSS 1978, c R-25, section 15 amended

5-1 Subsection 15(1) of *The Rural Municipal Administrators Act* is amended by striking out “\$300” and substituting “\$2,000”.

SS 1980-81, c U-8.1, amended

5-2(1) *The Urban Municipal Administrators Act* is amended in the manner set forth in this section.

(2) Section 18 is repealed and the following substituted:

“Prohibition respecting unqualified persons

18(1) Persons shall not serve or hold themselves out as qualified to serve as the administrative head of an urban municipality, or call themselves an ‘administrator’, unless those persons hold valid and subsisting certificates of membership and qualification issued pursuant to section 14.

(2) No person may be appointed as an administrative head of an urban municipality unless that person holds a valid and subsisting certificate of membership and qualification issued pursuant to this Act.

(3) Subsection (1) does not prevent a person appointed as an acting administrator pursuant to section 110.1 of *The Municipalities Act* or section 126.1 of *The Northern Municipalities Act, 2010* from exercising the powers and performing the duties of the office”.

(3) Subsection 20(1) is amended by striking out “\$50” and substituting “\$2,000”.

Coming into force

5-3(1) Subject to subsections (2) and (3), this Act comes into force on assent.

(2) Sections 2-48, 2-50, 3-38, 3-51, 3-53, 4-9, 4-29, 4-42 and 4-44 come into force by order of the Lieutenant Governor in Council.

(3) Sections 2-36, 2-40 and 2-44, subsection 2-46(1), section 2-51, subsection 2-54(2), sections 2-55, 2-56 and 2-57, subsections 2-59(2) and 2-61(1), sections 2-68, 2-69, 2-71, 2-77, 3-9, 3-39, 3-43 and 3-47, subsections 3-49(1) and (2), section 3-54, subsection 3-56(2), sections 3-57, 3-59, 3-60 and 3-62, subsection 3-64(1), sections 3-71, 3-72, 3-73, 3-75, 3-82, 4-30, 4-34 and 4-38, subsection 4-40(1), section 4-45, subsection 4-47(2), sections 4-48, 4-50, 4-51 and 4-53, subsection 4-55(1), sections 4-62, 4-63, 4-64, 4-66 and 4-72, and subsections 5-2(1) and (2) come into force on January 1, 2021.

FOURTH SESSION
Twenty-eighth Legislature
SASKATCHEWAN

B I L L

No. 194

An Act to amend *The Cities Act*, *The Municipalities Act* and *The Northern Municipalities Act* and to make consequential amendments to other Acts

Received and read the

First time

Second time

Third time

And passed

Honourable Lori Carr
