

EXPLANATORY NOTES

BILL No. 43

An Act to amend *The Cities Act, The Municipalities Act, and The Northern Municipalities Act, 2010*

Clause of Bill

1-1 *The Municipalities Modernization and Red Tape Reduction Act*

2-1 *The Cities Act*

2-2 **Existing Provision**

Interpretation

2(1) In this Act:

...

(l) “**designated officer**” means a person designated by a council or a person to whom a power or authority is delegated by the commissioner or manager;

...

2002, c.C-11.1, s.2; 2003, c.18, s.3; 2004, c.54, s.3; 2006, c.4, s.3; 2007, c.20, s.3; 2009, c.23, s.4; 2010, c.5, s.3; 2011, c.9, s.66; 2015, c.30, s.2-2; 2015, c.L-30.11, s.188; 2017, c E-4.01, s.25; 2020, c.30, s.2-2; 2024, c4, s.32; 2024, c6, s.2-2.

Explanation

The definition of designated officer will not include designated officers specified under the dangerous animal provisions.

2-3 **Existing Provision**

Jurisdiction to enact bylaws

...

8(3) Without restricting the generality of subsection (1), a power to pass bylaws given by this Act is to be interpreted as including the power to do any or all of the following:

...

(b) deal with developments, activities, industries, businesses or things in different ways, and, in so doing, to divide each of them into classes or subclasses, and deal with each class or subclass in different ways;

...

2002, c.C-11.1, s.8; 2003, c.18, s.4; 2004, T-18.1, s.297; 2004, c.54, s.5; 2006, c.4, s.4; 2007, c.20, s.4; 2010, c.5, s.5; 2013, c.6, s.3; 2020, c.30, s.2-3.

Explanation

Removing the word “developments” clarifies that bylaws related to land use planning and development should be under the authority of *The Planning and Development Act, 2007*.

2-4 Existing Provision

Incorporating orders

39(1) The minister may, by order, incorporate a town that is incorporated or continued pursuant to *The Municipalities Act* as a city pursuant to this Act if:

- (a) the town has a population of 5,000 or more; and
- (b) the council of the town requests the change in status.

...

2002, c.C-11.1, s.39; 2005, c.M-36.1, s.418.

Explanation

Changes will allow any urban municipality type that meets the criteria to apply to become a city. Population thresholds and any other criteria to become a city will be established in regulations.

2-5 Existing Provision

Application for alteration, amalgamation or restructuring

...

43.1(12) If the minister rejects, in whole or in part, an application made pursuant to this section:

- (a) the minister shall cause a notice of the rejection to be published in the area that would have been affected; and
- (b) no subsequent application that is, in the opinion of the minister, substantially similar to an application or part of the application that has been rejected may be made until at least one year after the rejection.

...

(15) No subsequent application pursuant to this section that is, in the opinion of the Saskatchewan Municipal Board, substantially similar to an application or part of the application that has been rejected may be made until at least one year after the rejection.

2013, c.6, s.6.

Explanation

Section 43.1 outlines the role of the Saskatchewan Municipal Board with respect to disputes between municipalities and potential boundary alterations that do not have agreement from all affected municipalities. Subsection (12) states that if the Saskatchewan Municipal Board denies an application for a boundary alteration, a subsequent application cannot be made for at least one year. An amendment to subsection (12) increases the cooling off period after a denied application to three years.

2-6 Existing Provision

None.

Explanation

New section 56.2 will allow a city council to appoint an Indigenous advisor to serve as a non-voting advisor to the council. Council would have the ability to appoint an advisor and to give them a title appropriate for their role. This provision is similar to existing section 56.1 allowing a council to appoint a youth member.

2-7 **Existing Provision**

General duty of councillors

65 Councillors have the following duties:

- (a) to represent the public and to consider the well-being and interests of the city;
- (b) to participate in developing and evaluating the policies, services and programs of the city;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to ensure that administrative practices and procedures are in place to implement the decisions of council;
- (e) subject to the bylaws made pursuant to section 55.1, to keep in confidence matters discussed in private or to be discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (f) to maintain the financial integrity of the city;
- (g) to perform any other duty or function imposed on councillors by this or any other Act or by the council.

2002, c.C-11.1, s.65; 2015, c.30, s.2-4.

Explanation

New clause 65(f.1) will require council to consider procedural fairness when making decisions.

2-8 **Existing Provision**

Code of ethics

66.1(1) A council shall, by bylaw, adopt a code of ethics that applies to all members of the council.

...

2015, c.30, s.2-5.

Explanation

New subsection 66.1(6.1) ensures a contravention for harassment under *The Saskatchewan Employment Act* is also deemed a contravention of a city's code of ethics.

2-9 Existing Provision

Oath or affirmation

68(1) Every member of council shall, before carrying out any power, duty or function of his or her office, take an official oath or affirmation in the prescribed form.

...

(3) Every member of council holding office on the day before the coming into force of this section shall take the official oath or affirmation in the prescribed form within 30 days after the council's adoption or amendment of the code of ethics, rules of conduct and procedures applicable to the member's office imposed by this and any other Act and by the council.

2015, c.30, s.2-6.

Explanation

New subsection (1.1) clarifies that a member of council who has not signed the oath of office is not eligible to participate in any council proceeding or meeting and shall be considered absent until signing the oath of office. New subsection (2.1) will require the commissioner or manager to report to council anyone who was elected and has not yet signed the oath of office.

Subsection (3) was adopted in 2015 to aid in the transition of oaths of office and is no longer necessary, so is being repealed.

2-10 Existing Provision

None.

Explanation

New section 68.1 will require every city to offer orientation training to council members after each general election.

2-11 Existing Provision

City office

83 A council shall name a place within the boundaries of the city as its city office.

2002, c.C-11.1, s.83.

Explanation

New subsection (2) adds regulation-making authority regarding policies and standards regarding city offices.

2-12 Existing Provision

Protection from reprisal

87.1(1) In this section:

...

87.1(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:

...

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

...

- (b) participated in a review or investigation of a wrongdoing; or

- (c) declined to participate in a wrongdoing.

...

2020, c 30, s.2-13.

Explanation

Amendments to section 87.1 will better reflect that a complaint of wrongdoing may be brought to the Ombudsman that the Ombudsman does not have the power to investigate. New clause (2)(a.2) will protect city employees from

reprisal if they bring a complaint of wrongdoing to the Information and Privacy Commissioner, whether or not it is the role of the commissioner to investigate.

2-13 Existing Provision

Inspection of municipal documents

91(1) Any person is entitled at any time during regular business hours to inspect and obtain copies of:

- (a) any contract approved by the council, any bylaw or resolution and any account paid by the council relating to the city;
- (a.1) the official oaths or affirmations taken by members of council pursuant to section 68;
- (b) the statements maintained by the clerk in accordance with section 116 and the securities register;
- (b.1) the city's financial statements and auditor's report prepared in accordance with section 155;
- (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);
- (c) any report of any consultant engaged by or of any employee of the city, or of any committee or other body established by a council, after the report has been submitted to the council, except any opinion or report of a lawyer;
- (d) the minutes of the council after they have been approved by the council;
- (e) any other reports and records authorized to be inspected by the council; and
- (f) any other prescribed report or document.

(2) Within a reasonable time after receiving a request, the clerk shall furnish the copies requested on payment of any fee that the council may fix.

(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) For the purposes of subsection (2), the fee set by council must not exceed the reasonable costs incurred by the city in furnishing the copies.

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

2002, c.C-11.1, s.91; 2006, c.4, s.8; 2015, c.30, s.2-8; 2020, c 30, s.2-15.

Explanation

Amendments to section 91 will require cities to publish financial statements, public accounts, council and committee minutes, and bylaws on a publicly available website beginning September 1, 2027. Changes to this section also establish timelines for public access to municipal documents and limit the costs a city may charge to provide physical copies of municipal documents to actual costs.

2-14 Existing Provision

Public notice

...

102(3) Subject to the regulations, a council shall, by bylaw, adopt a public notice policy that sets out, with respect to any class or subclass of matters with respect to which public notice is, by this Act, to be given pursuant to this section:

- (a) the minimum notice requirements;
- (b) the methods of notice to be followed; and
- (c) any prescribed matters.

...

2002, c.C-11.1, s.102.

Explanation

New subsection (2.1) clarifies that cities who publish notices online must do so on a publicly accessible website.

2-15 Existing Provision

Public disclosure statement

116(1) Subject to the regulations, every member of council shall, within 30 days after being elected, file a public disclosure statement with the clerk in the form provided by the council.

...

2002, c.C-11.1, s.116; 2003, c.18, s.22; 2010, c.5, s.16; 2015, c.30, s.2-14; 2021, c 6, s.23-26.

Explanation

New clause 116(1)(b) will remove the need for an elected official to file a duplicate public disclosure statement after an election, as long as the statement submitted with their nomination papers is still accurate.

2-16 Existing Provision

Annual financial statements

155(1) A city shall prepare annual financial statements of the city for the preceding financial year in accordance with the generally accepted accounting principles for municipal governments recommended from time to time by Chartered Professional Accountants of Canada.

(2) The city's financial statements must include:

(a) the city's debt limit; and

(b) the amount of the city's debt.

(3) A city 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 have been prepared.

2002, c.C-11.1, s.155; 2014, c.A-3.1, s.66.

Explanation

Section 155 requires cities to prepare financial statements. An amendment to subsection (3) aligns with requirements to make financial statements publicly available in full in section 91.

2-17 Existing Provision

Public accounts

156(1) On or before September 1 in each year, a city shall cause to be prepared and presented to the council the city'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 city; and
- (b) show clearly and fully:
 - (i) the remuneration paid to each employee and member of council;
 - (ii) the remuneration paid to each employee and member of any committee or other body established by council;
 - (iii) the remuneration paid to each employee and member of any other body established by council that receives the majority of its funds from the city;
 - (iv) the remuneration paid to each employee and board member of a controlled corporation;
 - (v) expenditures for travel and other expenses incurred by council members and board members described in subclauses (i) to (iv);
 - (vi) expenditures pursuant to any contract; and
 - (vii) grants and contributions of goods and services.

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

- (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 requirements for or limitations on public accounts.

Explanation

There are three minor amendments to section 156. The first will create consistent terminology with the other municipal Acts and other sections of *The Cities Act* when referring to a city's financial statements. The second will require public accounts to be posted on a publicly available website. Finally, regulations will establish when a city's public accounts must be prepared by.

2-18 Existing Provision

Reports to minister

157(1) A city shall submit its financial statements and the auditor's report on the financial statements, as well as its public accounts, to the minister by September 1 of the year following the financial year for which the financial statements and report have been prepared.

(2) If requested to do so by the minister, a city shall submit information respecting the financial affairs of the city for the financial year ending on December 31 of the year preceding the year in which the request was made.

(3) A city shall submit the information requested pursuant to subsection (2) promptly after receiving the request.

2002, c.C-11.1, s.157.

Explanation

The amendment removes the requirement for a city to submit its public accounts to the minister.

2-19 Existing Provision

Provision of information to assessor

...

171(4.1) Notwithstanding subsection (1) but subject to subsection (4.3) and section 201, for the purpose of using a valuation technique or method of appraisal based on the use of income or benefits, every owner of an income-producing property, as defined by order of the agency, shall, on or before June 30 of each year, furnish the assessor with a certified statement showing the following information for the owner's previous fiscal year respecting that property:

...

(4.2) The certified statement mentioned in subsection (4.1) must state that the information provided in the statement is complete, true and accurate to the best of the knowledge and belief of the person making the statement.

(5) Subject to subsection (6), every person who, in the course of his or her duties, acquires or has access to any information or document obtained pursuant to subsection (1), (2), (3) or (4.1) shall:

(a) keep that information or document confidential; and

(c) not make any use of or disclose that information or document without the consent of the person to whom the information or document relates.

...

(7) On or before October 1 in each year, every railway company shall furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

...

(8) On or before September 1 in each year, every owner or operator of a petroleum oil or gas well shall furnish the assessor with a certified statement showing the following information as of July 1 in the current year:

(8.1) On or before September 1 in each year, every owner or operator of a battery or gas handling site shall furnish the assessor with a certified statement showing the following information as of July 1 in the current year:

...

(9) On or before March 1 in each year, every owner of a pipeline shall furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

...

2002, c.C-11.1, s.171; 2003, c.18, s.29; 2006, c.4, s.20; 2013, c.6, s.18; 2020, c.30, s.2-41.

Explanation

Amendments provide for details related to dates and industry-specific assessment reporting to be set out in regulations.

New subsection (8.2) adds assessment reporting requirements for mining operations, similar to railways and oil and gas.

2-20 Existing Provision

Corrections to assessment roll

178(1) If an error or omission in any of the information shown on the assessment roll is discovered, or if a corrective action is required as a result of an assessment audit by the agency, the assessor may correct the assessment roll for the current year only.

...

2003, c.18, s.32; 2006, c.4, s.23.

Explanation

This amendment requires an assessor to make corrections to the assessment roll if an error is discovered or a corrective action is required as a result of an assessment audit.

2-21 Existing Provision

Contents of assessment notice

185(1) An assessment notice or an amended assessment notice must contain all of the following:

- (a) the same information that is required to be shown on the assessment roll;
- (b) the date the assessment notice or amended assessment notice is sent to the assessed person;
- (c) the date by which an appeal is required to be made, which date is not less than 30 days after the following is sent to the assessed person:
 - (i) an assessment notice or amended assessment notice; and
 - (ii) a written or printed notice of appeal in the form prescribed in regulations made by the minister;

...

(1.1) Notwithstanding clause (1)(c), in the year of a revaluation pursuant to *The Assessment Management Agency Act*, the assessment notice must contain the date by which an appeal is required to be made that is not less than 60 days after the date on which the materials mentioned in that clause are sent to the assessed person.

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

2002, c.C-11.1, s.185; 2003, c.18, s.33; 2006, c.4, s.26; 2013, c.6, s.19; 2020, c.30, s.2-44.

Explanation

The changes remove duplicated language regarding appeal dates.

2-22 Existing Provision

Establishment of Board of Revision

192(1) A council shall appoint a board of revision for the city before the assessment roll is prepared pursuant to section 174.

2002, c.C-11.1, s.192; 2003, c.18, s.36; 2006, c.4, s.28; 2015, c.30, s.2-21; 2020, c.30, s.2-46; 2024, c.6, s.2-9.

Explanation

An amendment to section 192 adds clarity that a city may appoint any certified board of revision as its own board of revision.

2-23 Existing Provision

Fees

...

196(4) The fees paid by an appellant pursuant to subsection (1) must be refunded if:

- (a) the appellant is successful in whole or in part on an appeal at either the board of revision or the appeal board;

- (b) the appellant's appeal is not filed by the secretary of the board of revision for the reason mentioned in subsection 199(7);
- (c) the appellant withdraws an appeal in accordance with section 197(7); or
- (d) the appellant enters into an agreement pursuant to section 204 resolving all matters on appeal.

...

2002, c.C-11.1, s.196; 2006, c.4, s.32.

Explanation

This change allows council to establish a non-refundable processing fee for assessment appeals in accordance with the regulations.

2-24 Existing Provision

Appeal procedure

197(1) An appeal of an assessment may only be taken by a person who:

- (a) has an interest in any property affected by the valuation or classification of any property; and
- (b) believes that an error has been made:

...

(6) A notice of appeal must be in writing in the form prescribed in regulations made by the minister and must:

- (a) set out the specific grounds on which it is alleged that an error exists;
- (a.1) set out the name of the appellant and the name of the agent who will represent the appellant, if the appellant has named an agent

...

2002, c.C-11.1, s.197; 2003, c.18, s.38; 2013, c.6, s.21; 2015, c.21, s.9; 2020, c 30, s.2-52.

Explanation

The amendments require appellants to discuss or attempt to discuss their appeal with the assessor prior to filing an appeal and require that a notice of appeal form includes an authorization if an agent is representing an appellant.

2-25 Existing Provision

Consolidation of appeals

197.1(1) Subject to the regulations, if more than one party files an appeal pursuant to section 198 regarding the same property, the secretary of the board of revision shall consolidate the appeals so that all appellants and matters are heard in a single hearing.

...

(3) The Lieutenant Governor in Council may make regulations pursuant to this section:

- (a) prescribing circumstances in which appeals mentioned in subsection (1) do not have to be consolidated;
- (d) respecting any matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this section.

2024, c6, s.2-13.

Explanation

This change to section 197.1 provides more flexibility to the board of revision secretary to consolidate similar appeals for multiple properties.

2-26 Existing Provision

Notice of hearing

...

199(2) The secretary of the board of revision shall, at least 30 days before the hearing, serve on the appellant and the assessor a notice stating:

- (a) the date, time and location of the hearing; and
- (e) that, if the appellant fails to appear at the hearing, the hearing may proceed in the appellant's absence, at which time the appeal may be dismissed and no further or other appeal may be taken by the appellant.

...

(6) If, in the opinion of the secretary of the board of revision, the notice of appeal does not comply with section 197, the secretary shall:

- (a) notify the appellant and include an explanation of the deficiencies in the notice of appeal; and
- (b) grant the appellant one 14-day extension to perfect the notice of appeal.

(7) If the appellant does not comply with a notice given pursuant to subsection (6), the secretary of the board of revision may refuse to file the notice of appeal, which action is deemed to be a refusal by the board of revision to hear the appeal.

...

2002, c.C-11.1, s.199; 2003, c.18, s.40; 2006, c.4, s.34; 2013, c.6, s.23; 2015, c.21, s.9; 2020, c.30, s.2-54.

Explanation

Amendments to section 199 allow the deadline for serving notice of the date, time and location for an appeal hearing to be set in the regulations and removes the discretion of a board of revision secretary to file deficient appeals.

2-27 Existing Provision

Disclosure of evidence

200(1) If an appellant intends to make use of any written materials on the hearing of an appeal, at least 20 days before the date set for the hearing the appellant shall:

- (a) file a copy of the materials with the secretary of the board of revision; and
- (b) serve a copy of the materials on every other party to the appeal.

(2) If a party to an appeal other than the appellant intends to make use of any written materials on the hearing of the appeal, at least 10 days before the date set for the hearing the party shall:

(a) file a copy of the materials with the secretary of the board of revision; and

(b) serve a copy of the materials on every other party to the appeal.

(2.1) If an appellant intends to make use of any written materials on the hearing of an appeal in response to written materials served on him or her pursuant to subsection (2), at least five days before the date set for the hearing the appellant shall:

(a) file a copy of the materials in response with the secretary of the board of revision; and

(f) serve a copy of the materials in response on every other party to the appeal.

(3) If a party does not comply with any of subsections (1) to (2.1), the board of revision may:

(a) accept and consider the material sought to be filed; or

(b) refuse to accept or consider the material sought to be filed.

(4) At least 10 days before the date set for the appeal hearing, the assessor shall file with the secretary of the board of revision and serve a copy on all parties to the appeal:

(a) a complete assessment field sheet; and

(b) a written explanation of how the assessment was determined, including:

(i) a statement indicating whether the assessor considered any decisions of the appeal board pursuant to subsection 165(3.2) in determining the assessment; and

(ii) if the assessor did consider one or more decisions of the appeal board in determining the assessment, a statement indicating whether the assessor decided to apply, to apply in part, to apply with modification or not to apply the decision of the appeal board to the assessment and the reasons for that decision.

...

2002, c.C-11.1, s.200; 2006, c.4, s.35; 2010, c.3, s.24.

Explanation

Amendments provide for the deadline for filing appeal materials before hearings to be set out in the regulations.

2-28 Existing Provision

Declaration of Confidentiality

201(1) Before providing information to the assessor or any other party to an appeal, the party that is to provide the information may:

(a) declare the information confidential; and

(b) seek an undertaking of the other party that:

(i) all or some of the information so provided is provided solely for the purpose of preparing an assessment or for an appeal hearing; and

(ii) no other use may be made of the information.

(2) Failure to provide an undertaking pursuant to subsection (1) forfeits the right of a party to obtain the information being sought by any other process.

(3) No person who is required to comply with an undertaking given pursuant to this section shall fail to do so.

2002, c.C-11.1, s.201.

Explanation

This change ensures all parties to an appeal are bound by rules regarding confidentiality of the assessment information.

2-29 Existing Provision

Agreement to adjust assessment

204(1) The parties to an appeal may agree to a new valuation or classification of a property, or to changing the taxable or exempt status of a property, if, during the appeal period but before the appeal is heard by the board of revision, all parties to the appeal agree:

(a) to a valuation or classification other than the valuation or classification stated on the notice of assessment; or

(b) to a change in the taxable or exempt status of a property from that shown on the assessment roll.

...

2006, c.4, s.37; 2020, c 30, s.2-55; 2024, c6, s.2-16.

Explanation

The amendment to section 204 allows an agreement to adjust to be reached at any point before an appeal is heard.

2-30 Existing Provision

Recording

208(1) If, at least two days before the day scheduled for the hearing of an appeal to the board of revision, a party to the appeal requests that the hearing or part of the hearing or the testimony of a witness testifying at a hearing be recorded, the chairperson of the board or panel shall order that the hearing or a part of the hearing or the testimony of a witness be recorded by a person appointed by the board.

...

2002, c.C-11.1, s.208; 2020, c 30, s.2-56.

Explanation

This change allows the deadline to request a court reporter for an appeal hearing to be set out in the regulations.

2-31 Existing Provision

Amending Notice of Appeal

209(1) On application made by an appellant appearing before it, a board of revision may, by order, grant leave to the appellant to amend his or her notice of appeal so as to add a new ground on which it is alleged that error exists.

(2) An order made pursuant to subsection (1) may be made subject to any terms and conditions that the board of revision considers appropriate.

(3) An order made pursuant to subsection (1) must be in writing.

2002, c.C-11.1, s.209.

Explanation

Section 209 provides regulation-making authority for when an appellant may amend their appeal grounds after filing an appeal.

2-32 Existing Provision

Direct Appeals

214(1) Notwithstanding section 198, a person may appeal an assessment directly to the appeal board, without leave, if:

- (a) the person has an interest in the assessed properties;
- (b) the total assessment of those properties as recorded in the assessment roll is greater than the prescribed amount; and
- (c) the person, the applicable board of revision and the municipality agree to proceed in accordance with this section.

...

2002, c.C-11.1, s.214; 2006, c.4, s.39; 2013, c.6, s.25.

Explanation

Regulation-making authority is added for the circumstances in which appeals shall proceed directly to the Saskatchewan Municipal Board.

2-33 Existing Provision

Failure to appear

225(1) If notice is given and a party fails to attend the hearing of the appeal, the appeal board may hear and decide the appeal in the absence of the party.

(2) If notice is given and an appellant fails to attend at the hearing of the appeal, the appeal board may dismiss the appeal without conducting a hearing.

Explanation

This change allows any party before the Saskatchewan Municipal Board to request an adjournment if they have more than one hearing in more than one municipality on the same day.

2-34 Existing Provision

Warrant authorizing entry

325(1) If a person refuses to allow or interferes with an entry or inspection described in section 20, 21, 22, 23, 324 or 327, or if a person fails to respond to a designated officer's reasonable requests for access to property for the purposes mentioned in any of those sections, the city may apply to a justice of the peace or a provincial court judge for a warrant authorizing a person named in the warrant to:

...

2002, c.C-11.1, s.325; 2003, c.18, s.58; 2004, c.54, s.28; 2010, c.5, s.26.

Explanation

The section number referenced in this section is updated to reflect changes to the dangerous animal provisions in the Act.

2-35 Existing Provisions

Dangerous animals

327(1) A peace officer, as defined in the *Criminal Code*, or a designated officer may do the things mentioned in subsection (2) if the peace officer or designated officer has reasonable grounds to believe that:

(a) an animal is dangerous or has been ordered to be destroyed or otherwise disposed of; and

(b) the animal mentioned in clause (a) is in or on any premises other than a private dwelling.

(2) In the circumstances mentioned in subsection (1), the peace officer or designated officer may, with or without a warrant:

(a) enter the premises;

(b) search for the animal; and

(c) either:

(i) impound the animal; or

(ii) if there is an order to destroy or otherwise dispose of the animal, deliver the animal to the person appointed in the order to destroy or otherwise dispose of the animal.

(3) Notwithstanding subsections (1) and (2), a peace officer or designated officer shall not enter any place that is a private dwelling without:

(a) the consent of the owner or occupier of the private dwelling; or

(b) a warrant issued pursuant to section 325 from a justice of the peace or a provincial court judge authorizing the entry.

(4) If it appears to a justice of the peace or provincial court judge that, based on evidence presented by a peace officer or designated officer under oath, there are reasonable grounds to believe that an animal that is dangerous or has been ordered to be destroyed or otherwise disposed of is in a private dwelling, the justice of the peace or provincial court judge may issue a warrant authorizing a peace officer or designated officer to enter the private dwelling specified in the warrant and search for the animal.

(5) On issuance of a warrant pursuant to subsection (4), the peace officer or designated officer may:

(a) enter the private dwelling;

(b) search for the animal; and

(c) either:

(i) impound the animal; or

(ii) if there is an order to destroy or otherwise dispose of the animal, deliver the animal to the person appointed in the order to destroy or otherwise dispose of the animal.

(6) A peace officer or designated officer may destroy any animal that he or she finds injuring or viciously attacking a person or a domestic animal.

(7) A peace officer or designated officer who, acting in good faith, destroys an animal pursuant to subsection (6) is not liable to the owner for the value of the animal.

(8) In an action brought to recover damages for injuries to persons or property caused by an animal, it is not necessary for the person injured to prove that the animal is, or that the owner knew that the animal was:

(a) of a dangerous or mischievous nature; or

(b) accustomed to doing acts causing injury.

(9) If a city has passed a bylaw respecting dangerous animals and a provincial court judge or a justice of the peace has, in accordance with that bylaw, by order declared an animal in the city to be dangerous, the order continues to apply with respect to that animal if the animal is sold or given to a new owner or is moved to a different location within or outside the city.

(10) If an animal has been declared dangerous by an order issued pursuant to subsection (9), any person who fails to comply with any part of that order made against him or her with respect to that animal is guilty of an offence.

2002, c.C-11.1, s.327; 2003, c.18, s.59; 2004, c.54, s.30.

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

(f) found at large.

2020, c 30, s.2-75.

Explanation

These sections are repealed, and new Division 4.1 added to this Act so that dangerous animal provisions are harmonized between the three municipal Acts (see amendments to sections 337.1 to 337.8).

2-36 Existing Provision

Order to Remedy Contraventions

328(1) If a designated officer finds that a person is contravening this Act or a bylaw, the designated officer may, by written order, require the owner or occupant of the land, building or structure to which the contravention relates to remedy the contravention.

...

2002, c.C-11.1, s.328; 2003, c.18, s.60; 2004, c.54, s.31; 2007, c.20, s.28.

Explanation

This amendment allows a city to require the owner or occupant of land adjacent to Crown or city land, and who has contravened a bylaw, to remedy the contravention.

2-37 Existing Provision

Adding amounts to tax roll

333(1) A council may add the following amounts to the tax roll of a parcel of land:

- (a) unpaid costs relating to service connections of a public utility that are owing with respect to the parcel;
- (b) subject to subsection (1.1), unpaid charges for a utility service provided to the parcel by a public utility that are owing with respect to the parcel, whether the service was supplied to the owner or a tenant of the land or building, if the city has:
 - (i) provided prior notice to each of the owner and tenant that the charges for the utility service to the parcel are in arrears;
 - (ii) sent a registered letter to each of the owner and tenant respecting the unpaid charges and the consequences of the unpaid charges at least 30 days before the amounts are to be added to the tax roll;

...

- (c) subject to subsection 330(3.1), unpaid expenses and costs incurred by the city in remedying a contravention of a bylaw or enactment if the contravention occurred on all or part of the parcel of land;

...

2002, c.C-11.1, s.333; 2007, c.20, s.31; 2013, c.6, s.38; 2014, c.19, s.34; 2020, c 30, s.2-76.

Explanation

Changes to section 333 allow unpaid costs for remedying a bylaw infraction on Crown or city land to be added to the tax roll of the adjacent parcel of land.

2-38 Existing Provision

Liability of owner or person in charge of vehicle

335(1) In this section:

- (a) **“authorized person”** means a person who is in charge of a vehicle with the express or implied consent of the owner of the vehicle;
- (b) **“owner”** means, with respect to any vehicle, the person to whom a current certificate of registration or registration permit for a vehicle is issued;
- (c) **“unauthorized person”** means a person who is in charge of a vehicle without the express or implied consent of the owner of the vehicle.

(2) If a vehicle is used in the commission of an offence against a bylaw involving a vehicle, the owner of the vehicle is liable for the offence, as well as any other person who may have actually committed the offence, unless the owner proves to the satisfaction of the court that, at the time of the offence, the vehicle:

- (a) was not being operated and had not been parked or left by the owner; and
- (b) was not being operated and had not been parked or left by any authorized person in charge of the vehicle.

(3) If, at the time of the commission of any offence against a bylaw involving a vehicle, the vehicle was not being operated and had not been parked or left by

the owner or by any authorized person in charge of the vehicle, the unauthorized person in charge of the vehicle is liable for the offence, as well as any other person who may have actually committed the offence, unless the unauthorized person in charge of the vehicle proves to the satisfaction of the court that, at the time of the offence, the vehicle:

- (a) was not being operated, and had not been parked or left by that unauthorized person in charge of the vehicle; and
- (b) was not being operated and had not been parked or left by any person in charge of the vehicle with the express or implied consent of that unauthorized person in charge of the vehicle.

2002, c.C-11.1, s.335.

Explanation

Amendments expand the applicability of section 335 to include bylaw offences involving a vehicle so that it applies to more than parking offences (e.g., illegal dumping).

2-39 Existing Provision

None.

Explanation

New Division 4.1 contains new sections 337.1 through 337.8 and harmonizes dangerous animal provisions between the three Acts.

Notable changes include a definition for “designated officer” for use in these sections, additional detail regarding process and procedure for offences, search for and destruction of an animal, and authority for council to make a dangerous animal declaration and order. For a city to exercise its authority to make declarations and orders concerning dangerous animals, it must have an animal control bylaw containing proper policies that ensure fairness and due process.

Additional changes ensure a dangerous animal declaration made under one municipal Act remains active if a person moves to a municipality under the authority of another municipal Act, and an expansion of authority for a peace officer or designated officer to act if an animal poses an imminent threat in the community.

2-40 Existing Provision

Offences applicable to members of council, commissioners, managers, officials

339 No member of council, commissioner or manager or other city official shall:

...

- (d) impede or attempt to impede a member of council, commissioner, manager or other city official from lawfully discharging his or her obligations or duties imposed pursuant to this Act or any other Act or any bylaw; or
- (e) prevent or attempt to prevent a member of council, commissioner, manager or other city official from lawfully discharging his or her obligations or duties imposed pursuant to this Act or any other Act or any bylaw.

2007, c.30, s.2.

Explanation

Section 339 is amended to make harassment of municipal employees an offence under this Act.

2-41 Existing Provision

Minister's power to issue directions and dismiss

356(1) In this section, "**official examination**" means:

...

- (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*;

...

(1.2) In an order made pursuant to subsection (1.1), the minister may suspend, censure or otherwise limit the powers and duties of all or any member of council, a commissioner, a manager or a designated officer of the city during the conduct of an official examination if the minister considers it in the public interest.

...

2002, c.C-11.1, s.356; 2015, c.30, s.2-29; 2020, c 30, s.2-80.

Explanation

There are three minor changes to section 356. The first is to include a decision of the Saskatchewan Municipal Board in the definition of “official examination.”

The second clarifies that, in addition to taking action while an official examination is taking place, the minister may also take action following completion of the examination.

Finally, new subsection (1.3) requires the commissioner or manager to report to council on the nature of an official examination and any remedial actions recommended as a result of the examination.

3-1 *The Municipalities Act*

3-2 Existing Provision

Interpretation

2(1) In this Act:

(a) “**additional service area**” means a geographical area within a rural municipality or municipal district that includes a residential or other land use requiring services or levels of services that are different from the services or levels of services provided in areas of the rural municipality or municipal district that are not additional service areas;

...

(l) “**designated officer**” means a person designated by a council or a person to whom power or authority is delegated by the administrator or, in the absence of a designation by the council, the administrator;

2005, cM-36.1, s2; 2006, c7, s3; 2007, c32, s3;
2010, c24, s3; 2011, c9, s67; 2013, c19, s3;

2014, c19, s3; 2015, c30, s3-2; 2015, cL-30.11, s191; 2017, cE-4.01, s27; 2020, c30, s3-2; 2024, c6, s3-2; 2024, c4, s32.

Explanation

The definition of additional service area is repealed, aligning with amendments to sections 48.1 and 48.2 that remove the authority to create new additional service areas. The definition of designated officer will not include designated officers specified under the dangerous animal provisions.

3-3 Existing Provision

Jurisdiction to pass bylaws

8(3) Without restricting the generality of subsection (1), a power to pass bylaws given by this Act is to be interpreted as including the power to do any or all of the following:

...

(b) to deal with developments, activities, industries, businesses or things in different ways, and, in so doing, to divide each of them into classes or subclasses, and deal with each class or subclass in different ways;

...

2005, cM-36.1, s8; 2006, c7, s4; 2007, c32, s4; 2010, c24, s5; 2013, c19, s4; 2020, c30, s3-3.

Explanation

Removing the word “developments” clarifies that bylaws related to land use planning and development should be under the authority of *The Planning and Development Act, 2007*.

3-4 Existing Provision

Establishment

33(1) In this Division, “**public utility board**” means a public utility board established pursuant to subsection (2).

(2) A council may, by bylaw:

(a) establish a public utility board on its own or in conjunction with one or more municipalities;

(b) delegate to a public utility board any or all of the powers conferred on the council or the municipality by sections 23 to 32;

(c) set the terms and conditions pursuant to which a public utility board is to carry out its duties and exercise its powers; and

(d) enter into agreements with other municipalities with respect to the establishment of a public utility board, the delegation of authority to a public utility board, the terms and conditions pursuant to which a public utility board is to operate and other matters that are necessarily incidental to the functioning of a public utility board.

2005, cM-36.1, s33.

Explanation

New subsection (2.1) will require a municipality to consider how a public utility board would be dissolved when first establishing the board.

3-5 Existing Provision

None.

Explanation

New section 33.1 gives a public utility board the authority to own assets, including land.

3-6 Existing Provision

Establishment of additional service areas

48.1(1) Subject to subsections (2) to (7), the council of a rural municipality or a municipal district may, by bylaw, establish one or more additional service areas for all or any of the following purposes:

(a) to provide to the additional service area services or levels of services that are different from the services or levels of services provided in areas of the rural municipality or municipal district that are not additional service areas;

(b) to provide for the ongoing operation and maintenance of services and infrastructure in the additional service area that were originally funded pursuant to *The Planning and Development Act, 2007* by means of development levies and servicing agreements.

(2) The council of a rural municipality or a municipal district shall not establish an additional service area that is specific to an individual residential, commercial, industrial or agricultural property or specific to a business or business activity.

(3) Before passing a bylaw to establish an additional service area, the council of a rural municipality or a municipal district shall:

(a) provide public notice, in accordance with section 128, of the proposed bylaw; and

(b) call a public meeting.

(4) A certified copy of the bylaw passed pursuant to subsection (1) must be forwarded to the minister within 30 days after it is passed.

(5) An additional service area established pursuant to subsection (1) is subject to taxation or fees to cover the cost for any additional service or level of service provided in the additional service area and for any infrastructure associated with providing those services.

(6) The Lieutenant Governor in Council may make regulations:

(a) governing:

(i) the establishment of an additional service area;

(ii) the minimum size of an additional service area;

(iii) the minimum number of lots, dwellings or businesses required to establish an additional service area;

(iv) the type or level of services to be provided in an additional service area;

(v) the type of property or development that may be included in an additional service area;

(vi) the construction, operation and maintenance of waterworks systems and sewage systems for additional service areas;

(b) respecting the manner in which the revenues arising from the operation of waterworks systems and sewage systems in additional service areas must be administered and accounted for;

(c) respecting any other matter or thing the Lieutenant Governor in Council considers necessary or advisable to achieve the intent of this Division.

(7) Unless otherwise provided for by council, all bylaws and resolutions of the rural municipality or municipal district apply to an additional service area except those bylaws related to:

- (a) other additional service areas; or
- (b) hamlets and organized hamlets.

2013, c19, s10; 2014, c19, s4.

Alterations to additional service areas

48.2(1) The council of a rural municipality or a municipal district may, by bylaw:

- (a) alter the boundaries of an additional service area; or
- (b) amend, alter or discontinue the services provided in an additional service area.

(2) Before passing a bylaw pursuant to subsection (1), the council of a rural municipality or a municipal district shall:

- (a) provide public notice, in accordance with section 128, of the proposed bylaw; and
- (b) call a public meeting.

(3) A certified copy of a bylaw passed pursuant to subsection (1) must be forwarded to the minister within 30 days after it is passed.

2013, c19, s10; 2014, c19, s5.

Explanation

The authority to create new additional service areas is being removed and replaced with other legislative tools (see amendments to section 283).

3-7 Existing Provision

None.

Explanation

New section 48.31 states that any existing additional service areas will continue until the bylaw establishing the additional service area expires or council dissolves the additional service area.

3-8 Existing Provision

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.

2020, c30, s3-10.

Explanation

The authority to create new special service areas is being removed and replaced with other legislative tools (see amendments to section 283).

3-9 Existing Provision

None.

Explanation

Any existing special service areas will continue until the Minister's Order establishing the special service area expires or is rescinded.

3-10 Existing Provision

Resort villages and villages

51(1) Subject to subsections (2) and (3), the persons within an organized hamlet may apply to the minister, in accordance with the procedures set out in Division 2, for the incorporation of the organized hamlet as a resort village or village.

(2) An organized hamlet may be incorporated as a resort village or village only if it:

(a) has been an organized hamlet for at least three years;

(b) meets the prescribed minimums for all of the following:

(i) population;

(ii) number of separate dwellings or business premises;

(iii) taxable assessment; and

(c) meets any other prescribed criteria.

(2.1) For the purposes of subsection (2), the regulations may establish minimums and other criteria for resort village incorporation that are different from those for village incorporation.

(3) An organized hamlet that is adjacent to another organized hamlet, or that is adjacent to a municipality other than a rural municipality, may be incorporated as a village or resort village only if:

(a) the other organized hamlet or adjacent municipality refuses to annex the area of the organized hamlet;

(b) natural physical barriers separate the organized hamlet from the other organized hamlet or adjacent municipality;

(c) there is a lack of continuity in the development between the organized hamlet and the other organized hamlet or adjacent municipality; or

(d) access is limited between the organized hamlet and the other organized hamlet or adjacent municipality.

2005, cM-36.1, s51; 2013, c19, s11; 2014, c19, s8.

Explanation

Section 51 outlines how people may apply to the minister to establish their community as a village or resort village. Amendments change “organized hamlet” to “hamlet” throughout this section, removing the requirement that a community be an organized hamlet for three years prior to incorporating as a village or resort village.

3-11 Existing Provision

Municipal districts

51.1(1) In this section:

(a) “**former municipality**” means the area of a municipal district that, before the establishment of a municipal district, was, as the case may be:

(i) an urban municipality;

(ii) a restructured municipality; or

(iii) a rural municipality, including an organized hamlet within a rural municipality;

(b) “**local government Act**” means this Act, the regulations made pursuant to this Act, any other prescribed Act and the regulations made pursuant to any other prescribed Act;

(c) “**urban municipality**” means a city, town, village or resort village.

(2) The councils of at least one rural municipality and at least one urban municipality may apply to the minister to incorporate as a municipal district.

...

(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.

2014, c19, s9; 2020, c30, s3-11.

Explanation

Amendments to section 51.1 clarify that public notice is required when a municipal district is established.

3-12 Existing Provision

Initiating restructuring or change in status if municipality is not in compliance

52.1(1) The council of a municipality shall request the minister to order a restructuring of a municipality pursuant to subclause 61(2)(c)(iii) or a change in status of the municipality pursuant to clause 61(2)(d) if:

(a) for two or more consecutive years, the municipality has not complied with the prescribed requirements of this Act or regulations or any other Act or regulations made pursuant to the other Act;

(b) the municipality has been notified of its non-compliance pursuant to clause (a) and is unable to demonstrate compliance to the satisfaction of the minister with the matters set out in the notice within the period indicated in the notice; and

(c) for a municipality other than a rural municipality, the municipality no longer meets the prescribed minimum population for two consecutive censuses as set out in this Act or the regulations.

...

2014, c 19, s 10.

Explanation

Section 52.1 outlines procedures for when an urban municipality is non-compliant, including possible restructuring. New subsection (1.1) clarifies that the original deadline for a municipality to become compliant applies to any further acts of non-compliance that occur after original notice is provided.

3-13 Existing Provision

Restructured municipalities

53(1) The council of a municipality or the council of a municipality or the councils of one or more other municipalities may apply to the minister, in accordance with the procedures set out in Division 2, to restructure by:

(a) adding territory to or withdrawing territory from the existing area of the municipality and altering the boundaries of any other municipality affected by the alteration, as long as the boundaries of any other municipality affected by the alteration are coterminous with the boundaries of the applicant municipality;

(b) merging the whole or any part of the municipality with any other municipality;

(c) providing for the inclusion of the municipality in any other municipality, including the establishment of the municipality as an organized hamlet within the rural municipality in which it is located; or

(d) incorporating new municipalities or other municipalities.

...

(3) An agreement entered into pursuant to subsection (2) may include any terms and conditions to which the parties agree and, if applicable, must include terms and conditions that address the following matters:

...

(i) the establishment of areas for the purposes of assigning different tax rates and providing different service levels;

...

2005, cM-36.1, s53; 2013, c19, s12.

Explanation

There are two minor amendments to section 53. The first removes reference to a former municipality being established as an organized hamlet. The second removes reference to special service areas and is consistent with the repeal of section 49.2 in this Bill.

3-14 Existing Provision

Referral or application to Saskatchewan Municipal Board

...

60(9) No subsequent application pursuant to Division 1 that is, in the opinion of the Saskatchewan Municipal Board, substantially similar to an application or part of the application that has been rejected may be made until at least one year after the rejection.

...

2013, c19, s14.

Explanation

Section 60 outlines the role of the Saskatchewan Municipal Board with respect to disputes between municipalities and potential boundary alterations that do not have agreement from all affected municipalities. Subsection (9) states that if the Saskatchewan Municipal Board denies an application for a boundary alteration, a subsequent application cannot be made for at least one year. An amendment to subsection (9) increases the cooling off period after a denied application to three years.

3-15 Existing Provision

Contents of orders

62 In making an order pursuant to section 61, the minister shall: (a) state the day on which the order becomes effective;

...

(e) in the case of a change to the status of an organized hamlet and if the minister considers it in the public interest to do so, designate the former organized hamlet as a special service area in accordance with section 49.2.

2005, cM-36.1, s62; 2013, c19, s16; 2024, c6, s3-9.

Explanation

The repealing of clause 62(e) will remove the authority for a former organized hamlet to be designated as a special service area.

3-16 Existing Provision

None.

Explanation

New section 82.2 will allow a municipal council to appoint an Indigenous advisor to serve as a non-voting advisor to the council. Council would have the ability to appoint an advisor and to give them a title appropriate for their role. This provision is similar to existing section 82.1 allowing a council to appoint a youth member.

3-17 Existing Provision

General duties of councillors

92 Councillors have the following duties:

(a) to represent the public and to consider the well-being and interests of the municipality;

...

(f) to maintain the financial integrity of the municipality;

(g) to perform any other duty or function imposed on councillors by this or any other Act or by the council.

2005, cM-36.1, s92; 2015, c30, s3-4.

Explanation

New clause 92(f.1) will require council to consider procedural fairness when making decisions.

3-18 Existing Provision

Code of ethics

93.1(1) A council shall, by bylaw, adopt a code of ethics that applies to all members of the council.

...

(6) In addition to the matters set out in subsection (5), the code of ethics may include:

(a) codes of ethics for members of committees, controlled corporations and other bodies established by council who are not members of the council;

...

(d) any other statements of ethics and standards determined to be appropriate by the council.

2015, c30, s3-5.

Explanation

New subsection 93(6.1) ensures a contravention for harassment under *The Saskatchewan Employment Act* is also deemed a contravention of a municipality's code of ethics.

3-19 Existing Provision

Oath or affirmation

94(1) Every member of council shall, before carrying out any power, duty or function of his or her office, take an official oath or affirmation in the prescribed form.

...

(3) Every member of council holding office on the day before the coming into force of this section shall take the official oath or affirmation in the prescribed form within 30 days after the council's adoption or amendment of the code of ethics, rules of conduct and procedures applicable to the member's office imposed by this and any other Act and by the council.

2015, c30, s3-6.

Explanation

New subsection (1.1) clarifies that a member of council who has not signed the oath of office is not eligible to participate in any council proceeding or meeting and shall be considered absent until signing the oath of office. New subsection (2.1) will require the administrator to report to council anyone who was elected and has not yet signed the oath of office.

Subsection (3) was adopted in 2015 to aid in the transition of oaths of office and is no longer necessary, so is being repealed.

3-20 Existing Provision

None.

Explanation

New section 94.1 will require every municipality to offer orientation training to council members after each general election.

3-21 Existing Provision

Municipal office

109 A council shall name a place within Saskatchewan as its office.

2005, cM-36.1, s109.

Explanation

New subsection (2) adds regulation-making authority regarding policies and standards regarding municipal offices.

3-22 Existing Provision

Protection from reprisal

...

114.1(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:

...

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

...

(b) participated in a review or investigation of a wrongdoing; or

(c) declined to participate in a wrongdoing.

...

2020, c30, s3-26.

Explanation

Amendments to section 114.1 will better reflect that a complaint of wrongdoing may be brought to the Ombudsman that the Ombudsman does not have the power to investigate. New clause (2)(a.2) will protect municipal employees from reprisal if they bring a complaint of wrongdoing to the Information and Privacy Commissioner, whether or not it is the role of the commissioner to investigate.

3-23 Existing Provision

Inspection of municipal documents

117(1) Any person is entitled at any time during regular business hours to inspect and obtain copies of:

(a) any contract approved by the council, any bylaw or resolution and any account paid by the council relating to the municipality;

(b) the statements maintained by the administrator in accordance with section 142 and the debentures register;

(b.01) the official oaths or affirmations taken by members of council pursuant to section 94;

(b.1) the municipality's financial statements prepared in accordance with section 185 and auditor's report prepared in accordance with subsection 189(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);

(c) any report of any consultant engaged by or of any employee of the municipality, or of any committee or other body established by a council, after the report has been submitted to the council, except any opinion or report of a lawyer;

(d) the minutes of the council after they have been approved by the council; and

(e) any other prescribed report or document.

(2) Within a reasonable time after receiving a request, the administrator shall furnish the copies requested on payment of any fee that the council may fix.

(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) For the purposes of subsection (2), the fee set by council must not exceed the reasonable costs incurred by the municipality in furnishing the copies.

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

2005, cM-36.1, s117; 2006, c7, s9; 2015, c30, s3-8; 2020, c30, s3-28.

Explanation

Amendments to section 117 will require municipalities to publish financial statements, council and committee minutes, and bylaws on a publicly available website beginning September 1, 2027. Changes to this section also establish timelines for public access to municipal documents and limit the costs a municipality may charge to provide physical copies of municipal documents to actual costs.

3-24 Existing Provision

None

Explanation

Clause 117(1)(i.1) will include a municipality's public accounts as an item that a municipality must make available to the public. Subsection (2) will require a municipality to publish its public accounts on a publicly available website. This clause will not be proclaimed until the requirement to publish public accounts is in force.

The Miscellaneous Municipal Statutes Amendment Act, 2020 added the requirement for a municipality to prepare public accounts. New section 185.1 in *The Municipalities Act* has not been proclaimed.

3-25 Existing Provision

Public notice

...

128(3) Subject to the regulations, a council shall, by bylaw, adopt a public notice policy that sets out, with respect to any class or subclass of matters with respect to which public notice is, by this Act, to be given pursuant to this section:

- (a) the minimum notice requirements;
- (b) the methods of notice to be followed; and
- (c) any prescribed matters.

...

2005, cM-36.1, s128; 2010, c24, s16.

Explanation

New subsection (3.1) clarifies that municipalities who publish notices online must do so on a publicly accessible website.

3-26 Existing Provision

Public disclosure statement

142(1) Subject to the regulations, every member of council shall, within 30 days after being elected, file a public disclosure statement with the administrator in the form provided by the council.

...

2015, c30, s3.15; 2021, c6, s23-26.

Explanation

New clause 142(1)(b) will remove the need for an elected official to file a duplicate public disclosure statement after an election, as long as the statement submitted with their nomination papers is still accurate.

3-27 Existing Provision

Annual financial statements

...

185(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.

2005, cM-36.1, s185; 2006, c7, s12; 2014, cA-3.1, s69.

Explanation

Section 185 requires municipalities to prepare financial statements. An amendment to subsection (3) aligns with requirements to make financial statements publicly available, in full, in section 117.

3-28 Existing Provision

Provision of information to assessor

...

201(4.1) Notwithstanding subsection (1) but subject to subsection (4.3) and section 231, for the purpose of using a valuation technique or method of appraisal based on the use of income or benefits, every owner of an income-producing property, as defined by order of the agency, shall, on or before June 30 of each year, furnish the assessor with a certified statement showing the following information for the owner's previous fiscal year respecting that property:

...

(4.2) The certified statement mentioned in subsection (4.1) must state that the information provided in the statement is complete, true and accurate to the best of the knowledge and belief of the person making the statement.

(5) Subject to subsection (6), every person who, in the course of his or her duties, acquires or has access to any information or document obtained pursuant to subsection (1), (2), (3) or (4.1) shall:

(a) keep that information or document confidential; and

(b) not make any use of or disclose that information or document without the consent of the person to whom the information or document relates.

...

(7) On or before October 1 in each year, every railway company shall furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

...

(8) On or before September 1 in each year, every owner or operator of a petroleum oil or gas well shall furnish the assessor with a certified statement showing the following information as of July 1 in the current year:

...

(8.1) On or before September 1 in each year, every owner or operator of a battery or gas handling site shall furnish the assessor with a certified statement showing the following information as of July 1 in the current year:

...

(9) On or before March 1 in each year, every owner of a pipeline shall furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

...

Explanation

Amendments provide for details related to dates and industry-specific assessment reporting to be set out in regulations.

New subsection (8.2) adds assessment reporting requirements for mining operations, similar to railways and oil and gas.

3-29 Existing Provision

Corrections to assessment roll

208(1) If an error or omission in any of the information shown on the assessment roll is discovered, or if a corrective action is required as a result of an assessment audit by the agency, the assessor may correct the assessment roll for the current year only.

...

2005, cM-36.1, s208; 2006, c7, s24.

Explanation

This amendment requires an assessor to make corrections to the assessment roll if an error is discovered or a corrective action is required as a result of an assessment audit.

3-30 Existing Provision

Contents of assessment notice

215(1) An assessment notice or an amended assessment notice must contain all of the following:

...

(c) the date by which an appeal is required to be made, which date is not less than 30 days after both of the following are sent to the assessed person:

(i) an assessment notice or amended assessment notice;

(ii) a written or printed notice of appeal in the form established in regulations made by the minister;

(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).

(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;

(d.1) in the case of a rural municipality or a municipal district constituted by divisions, the division in which the owner or owners are entitled to vote in an election;

(e) any other information considered appropriate by the municipality.

(1.1) Notwithstanding clause (1)(c), in the year of a revaluation pursuant to *The Assessment Management Agency Act*, the assessment notice must contain the date by which an appeal is required to be made that is not less than 60 days after the date on which the materials mentioned in that clause are sent to the assessed person.

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

...

2005, cM-36.1, s215; 2006, c7, s25; 2013, c19, s32; 2014, c19, s18; 2020, c30, s3-47.

Explanation

The changes remove duplicated language regarding appeal dates and, in a rural municipality, remove the requirement for the assessment notice to include division information for voting.

3-31 Existing Provision

Establishment of board of revision

220(1) A council shall appoint a board of revision for the municipality before the assessment roll is prepared pursuant to section 204.

(1.1) The board of revision appointed pursuant to subsection (1) must consist of not less than 3 members and at least one secretary appointed pursuant to section 221.

(1.2) If a centralized board of revision has been established by the minister pursuant to section 222.1, a municipality may appoint the centralized board of revision as the board of revision for that municipality.

...

Explanation

An amendment to section 220 adds clarity that a municipality may appoint any certified board of revision as its own board of revision.

3-32 Existing Provision

Fees

...

224(4) The fees paid by an appellant pursuant to subsection (1) must be refunded if:

(a) the appellant is successful in whole or in part on an appeal at either the board of revision or the appeal board;

(b) the appellant's appeal is not filed by the secretary of the board of revision for the reason mentioned in subsection 226(4);

(c) the appellant withdraws an appeal in accordance with section 227;
or

(d) the appellant enters into an agreement pursuant to section 228 resolving all matters on appeal.

...

2005, cM-36.1, s224; 2006, c7, s31.

Explanation

Changes to section 224 allow council to establish a non-refundable processing fee for assessment appeals in accordance with the regulations.

3-33 Existing Provision

Appeal procedure

225(1) An appeal of an assessment may only be taken by a person who:

(a) has an interest in any property affected by the valuation or classification of any property; and

(b) believes that an error has been made:

(i) in the valuation or classification of the property; or

(ii) in the preparation of or the content of the relevant assessment roll or assessment notice

(6) A notice of appeal must be in writing in the form established in regulations made by the minister and must:

...

(a.1) set out the name of the appellant and the name of the agent who will represent the appellant, if the appellant has named an agent;

...

2005, cM-36.1, s225; 2013, c19, s34; 2020, c30, s3-55.

Explanation

Amendments require appellants to discuss or attempt to discuss their appeal with the assessor prior to filing an appeal and require that a notice of appeal form includes an authorization if an agent is representing an appellant.

3-34 Existing Provision

Consolidation of appeals

225.1(1) Subject to the regulations, if more than one party files an appeal pursuant to section 226 regarding the same property, the secretary of the board of revision shall consolidate the appeals so that all appellants and matters are heard in a single hearing.

(2) The secretary of the board of revision shall, as soon as is reasonably practicable, provide all parties to the appeal notice that the appeals have been consolidated.

(3) The Lieutenant Governor in Council may make regulations pursuant to this section:

(a) prescribing circumstances in which appeals mentioned in subsection (1) do not have to be consolidated;

(b) respecting any matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this section.

2024, c6, s3-21.

Explanation

The changes to section 225.1 provide more flexibility to the board of revision secretary to consolidate similar appeals for multiple properties.

3-35 Existing Provision

Filing Notice of Appeal

...

226(3) If, in the opinion of the secretary of the board of revision, the notice of appeal does not comply with section 225, the secretary shall:

(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal; and

(b) grant the appellant one 14-day extension to perfect the notice of appeal.

(4) If the appellant does not comply with a notice given pursuant to subsection (3), the secretary of the board of revision may refuse to file the notice of appeal, which action is deemed to be a refusal by the board of revision to hear the appeal.

...

2005, cM-36.1, s226; 2006, c7, s32; 2013, c19, s35; 2020, c30, s3-56; 2024, c6, s3-22.

Explanation

Change to section 226 removes the discretion of a board of revision secretary to file deficient appeals.

3-36 Existing Provision

Agreement to adjust assessment

228(1) The parties to an appeal may agree to a new valuation or classification of a property, or to changing the taxable or exempt status of a property, if,

during the appeal period but before the appeal is heard by the board of revision, all parties to the appeal agree:

(a) to a valuation or classification other than the valuation or classification stated on the notice of assessment; or

(b) to a change in the taxable or exempt status of a property from that shown on the assessment roll.

...

2006, c7, s33; 2020, c30, s3-57; 2024, c6, s3-23.

Explanation

Amendment to section 228 allows an agreement to adjust to be reached at any point before an appeal is heard.

3-37 Existing Provision

Notice of hearing

...

229(2) The secretary of the board of revision shall, at least 30 days before the hearing, serve on the appellant and the assessor a notice of the date, time and location of the hearing and stating that the hearing may proceed in the absence of the appellant, at which time the appeal may be dismissed and no further or other appeal may be taken.

...

2005, cM-36.1, s229; 2006, c7, s34; 2013, c19, s36; 2015, c21, s31; 2020, c30, s3-58.

Explanation

The amendments allow the deadline for serving notice of the date, time and location for an appeal hearing to be set out in the regulations.

3-38 Existing Provision

Disclosure of evidence

230(1) If an appellant intends to make use of any written materials on the hearing of an appeal, at least 20 days before the date set for the hearing the appellant shall:

(a) file a copy of the materials with the secretary of the board of revision; and

(b) serve a copy of the materials on every other party to the appeal.

(2) If a party to an appeal other than the appellant intends to make use of any written materials on the hearing of the appeal, at least 10 days before the date set for the hearing the party shall:

(a) file a copy of the materials with the secretary of the board of revision; and

(b) serve a copy of the materials on every other party to the appeal.

(2.1) If an appellant intends to make use of any written materials on the hearing of an appeal in response to written materials served on him or her pursuant to subsection (2), at least five days before the date set for the hearing the appellant shall:

(a) file a copy of the materials in response with the secretary of the board of revision; and

(b) serve a copy of the materials in response on every other party to the appeal.

...

(4) At least 10 days before the date set for the appeal hearing, the assessor shall file with the secretary of the board of revision and serve a copy on all parties to the appeal:

(a) a complete assessment field sheet; and

(b) a written explanation of how the assessment was determined, including:

(i) a statement indicating whether the assessor considered any decisions of the appeal board pursuant to subsection 195(4.1) in determining the assessment; and

(ii) if the assessor did consider one or more decisions of the appeal board in determining the assessment, a statement indicating whether the assessor decided to apply, to apply in part, to apply with modification or not to apply the decision of

the appeal board to the assessment and the reasons for that decision.

...

2005, cM-36.1, s230; 2006, c7, s35; 2010, c3, s25.

Explanation

Amendments provide for the deadline for filing appeal materials before hearings to be set out in the regulations.

3-39 Existing Provision

Declaration of confidentiality

231(1) Before providing information to the assessor or any other party to an appeal, the party that is to provide the information may:

(a) declare the information confidential; and

(b) seek an undertaking of the other party that:

(i) all or some of the information so provided is provided solely for the purpose of preparing an assessment or for an appeal hearing; and

(ii) no other use may be made of the information.

(2) Failure to provide an undertaking pursuant to subsection (1) forfeits the right of a party to obtain the information being sought by any other process.

(3) No person who is required to comply with an undertaking given pursuant to this section shall fail to do so.

2005, cM-36.1, s231.

Explanation

The changes ensure all parties to an appeal are bound by rules regarding confidentiality of the assessment information.

3-40 Existing Provision

Recording of hearing or testimony

238(1) If, at least two days before the day scheduled for the hearing of an appeal to the board of revision, a party to the appeal requests that the hearing or part of the hearing or the testimony of a witness testifying at a hearing be recorded, the chairperson of the board or panel shall order that the hearing or a part of the hearing or the testimony of a witness be recorded by a person appointed by the board.

...

2005, cM-36.1, s238; 2020, c30, s3-59.

Explanation

The changes allow the deadline to request a court reporter for an appeal hearing to be set out in the regulations.

3-41 Existing Provision

Amending Notice of Appeal

239(1) On application made by an appellant appearing before it, a board of revision may, by order, grant leave to the appellant to amend his or her notice of appeal so as to add a new ground on which it is alleged that error exists.

(2) An order made pursuant to subsection (1) may be made subject to any terms and conditions that the board of revision considers appropriate.

(3) An order made pursuant to subsection (1) must be in writing.

2005, cM-36.1, s239.

Explanation

Amendments to section 239 provide regulation-making authority for when an appellant may amend their appeal grounds after filing an appeal.

3-42 Existing Provision

Direct Appeals

244(1) Notwithstanding section 226, a person may appeal an assessment directly to the appeal board, without leave, if:

(a) the person has an interest in the assessed properties;

(b) the total assessment of those properties as recorded in the assessment roll is greater than the prescribed amount; and

(c) the person, the applicable board of revision and the municipality agree to proceed in accordance with this section.

2005, cM-36.1, s244; 2006, c7, s37; 2013, c19, s38.

Explanation

The amendments provide regulation-making authority for the circumstances in which appeals shall proceed directly to the Saskatchewan Municipal Board.

3-43 Existing Provision

Failure to appear

255(1) If notice is given and a party fails to attend the hearing of the appeal, the appeal board may hear and decide the appeal in the absence of the party.

(2) If notice is given and an appellant fails to attend at the hearing of the appeal, the appeal board may dismiss the appeal without conducting a hearing.

2005, cM-36.1, s255.

Explanation

Amendment to section 255 allows any party before the Saskatchewan Municipal Board to request an adjournment if they have more than one hearing in more than one municipality on the same day.

3-44 Existing Provision

Tax notices required

...

267(5) A tax notice must show all of the following:

...

(d.1) in the case of a rural municipality or a municipal district constituted by divisions, the division in which the owner or owners are entitled to vote in an election;

(e) any other information that the municipality considers appropriate.

2005, cM-36.1, s267; 2006, c7, s40; 2007, c30, s5; 2014, c19, s20.

Explanation

An amendment to section 267 removes the requirement for the administrator to include division information for voting on the annual tax notice.

3-45 Existing Provision

Tax levy

...

283(2.1) Notwithstanding clause (2)(a), the council of a rural municipality may set a uniform rate for taxable assessments in any hamlet located within the rural municipality that is lower than the uniform rate applicable to taxable assessments elsewhere in the rural municipality.

...

2005, cM-36.1, s283; 2006, c7, s43; 2013, c19, s46; 2014, c19, s22.

Explanation

Amendments in section 283 allow rural municipalities to set a higher or lower tax rate in hamlets to provide services unique to the hamlet, instead of using additional or special service areas.

3-46 Existing Provision

None.

Explanation

The new provisions allow a municipality to use tax phase-in authority following municipal restructuring.

3-47 Existing Provision

Exemptions from taxation in rural municipalities

...

293 (2) In addition to the exemptions provided for by section 292, the following are exempt from taxation in rural municipalities:

(a) unoccupied buildings that are residential in nature and that are situated on land;

...

(e) a dwelling that is situated outside of an organized hamlet, hamlet or an area established pursuant to section 49.2 or clause 53(3)(i) and occupied by an owner or a lessee of land, to the extent of the amount of the assessment of the dwelling that does not exceed the total of the assessments of any land in the rural municipality or in any adjoining municipality that is owned or leased by:

(i) the occupant, the occupant's spouse or both of them;

(ii) subject to subsection (3), a partnership of which the occupant is a partner; or

(iii) subject to subsection (3), a corporation of which the occupant is a shareholder.

2005, cM-36.1, s293; 2013, c19, s47; 2014, c19, s27; 2018, cC-2.111, s7-10; 2020, c30, s3-73.

Explanation

Amendment to section 293 allows a transition provision for the repeal of special service areas and additional service areas in section 49.2 and clause 53(3)(i).

3-48 Existing Provision

Collection from oil or gas well

317(1) If taxes levied in any year with respect to the resource production equipment of a petroleum oil or gas well remain unpaid after that year, the administrator may give notice to any person who purchases oil or gas originating in a well with respect to which the resource production equipment is used, that the owner or operator of the well has failed to pay the taxes levied on the resource production equipment.

(2) The administrator shall serve the notice mentioned in subsection (1) by registered mail and the notice is deemed to have been served on the purchaser:

(a) on the delivery date shown on the signed post office receipt card; or

(b) if the delivery date is not shown, on the day on which the signed post office receipt card is returned to the administrator.

(3) The notice must:

(a) identify the wells with respect to which the resource production equipment subject to tax is used; and

(b) state:

(i) the amount of the arrears of taxes claimed; and

(ii) the name and address of the owner or operator of the well.

(4) On service of the notice, the purchaser of oil or gas from any well identified in the notice shall, as any moneys become owing from the purchaser to the owner or operator of the well with respect to the purchases, remit the moneys to the municipality to the amount claimed in the notice.

(5) On service of the notice, a purchaser of oil or gas from a well identified in the notice is personally liable to the municipality to the amount of the purchase price of all oil or gas subsequently purchased by him or her from the owner or operator of the well to the amount of the arrears of taxes claimed in the notice.

(6) The purchaser may deduct from the amount owing from him or her to the owner or operator of the well any sums paid by him or her to the municipality pursuant to the notice, and those sums are deemed to be a payment on account of the oil or gas purchased by him or her.

2005, cM-36.1, s317.

Explanation

Changes to this section give a municipality more tools to recover tax arrears from oil and gas companies by expanding who an administrator may request information from, allowing a municipality to add any costs in recovering arrears to the taxes owing, and ensuring that any notice that cannot be delivered is deemed served.

3-49 Existing Provision

Order to remedy contraventions

364(1) If a designated officer finds that a person is contravening this Act or a bylaw, the designated officer may, by written order, require the owner or occupant of the land, building or structure to which the contravention relates to remedy the contravention.

2005, cM-36.1, s364.

Explanation

Changes to section 364 allow a municipality to require the owner or occupant of land adjacent to Crown or municipal land, and who has contravened a bylaw, to remedy the contravention.

3-50 Existing Provision

Adding amounts to tax roll

369(1) A council may add the following amounts to the tax roll of a parcel of land:

(a) unpaid costs relating to service connections of a public utility that are owing with respect to the parcel;

(b) subject to subsection (1.1), unpaid charges for a utility service provided to the parcel by a public utility that are owing with respect to the parcel, whether the service was supplied to the owner or a tenant of the land or building, if the municipality has:

(i) provided prior notice to each of the owner and tenant that the charges for the utility service to the parcel are in arrears;

(ii) sent a registered letter to each of the owner and tenant respecting the unpaid charges and the consequences of the unpaid charges at least 30 days before the amounts are to be added to the tax roll;

...

(c) unpaid expenses and costs incurred by the municipality in remedying a contravention of a bylaw or enactment if the contravention occurred on all or part of the parcel;

...

2005, cM-36.1, s369; 2013, c19, s54; 2014, c19, s29; 2020, c30, s3-79.

Explanation

Changes to section 369 allow unpaid costs for remedying a bylaw infraction on Crown or municipal land to be added to the tax roll of the adjacent parcel of land.

3-51 Existing Provision

Liability of owner or person in charge of vehicle

371(1) In this section:

(a) “**authorized person**” means a person who is in charge of a vehicle with the express or implied consent of the owner of the vehicle;

(b) “**owner**” means, with respect to any vehicle, the person to whom a current certificate of registration or registration permit for a vehicle is issued;

(c) “**unauthorized person**” means a person who is in charge of a vehicle without the express or implied consent of the owner of the vehicle.

(2) If a vehicle is used in the commission of an offence against a bylaw, the owner of the vehicle is liable for the offence, as well as any other person who may have actually committed the offence, unless the owner proves to the satisfaction of the court that, at the time of the offence, the vehicle:

(a) was not being operated and had not been parked or left by the owner; and

(b) was not being operated and had not been parked or left by any authorized person in charge of the vehicle.

(3) If, at the time of the commission of any offence against a bylaw involving a vehicle, the vehicle was not being operated and had not been parked or left by the owner or by any authorized person in charge of the vehicle, the unauthorized person in charge of the vehicle is liable for the offence, as well as any other person who may have actually committed the offence, unless the unauthorized person in charge of the vehicle proves to the satisfaction of the court that, at the time of the offence, the vehicle:

(a) was not being operated, and had not been parked or left by that unauthorized person in charge of the vehicle; and

(b) was not being operated and had not been parked or left by any person in charge of the vehicle with the express or implied consent of that unauthorized person in charge of the vehicle.

2005, cM-36.1, s371.

Explanation

Amendments expand the applicability of section 371 to include bylaw offences involving a vehicle so that it applies to more than parking offences (e.g., illegal dumping).

3-52 Existing Provision

Interpretation of Division

374 In this Division:

(a) “**judge**” means a provincial court judge or a justice of the peace;

...

2005, cM-36.1, s374; 2018, cA-21.1 s39.

Explanation

Change to section 374 provides definition for “designated officer” in sections related to dangerous animals.

3-53 Existing Provision

Declaration of dangerous animal

375(1) On hearing a complaint that an animal in a municipality is dangerous, a judge may declare the animal to be dangerous if the judge is satisfied on reasonable grounds that:

(a) the animal, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;

(b) the animal has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;

(c) the animal has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; or

(d) the animal is owned primarily or in part for the purpose of fighting or is trained for fighting.

...

(4) The owner of an animal complained of, if known, shall be served with notice of a hearing pursuant to subsection (1), but the judge may make an order pursuant to subsection (5) in the absence of the owner if the owner fails to appear.

(5) If a judge declares an animal to be dangerous, the judge shall:

(a) make an order embodying one or more of the following requirements, as the judge considers appropriate:

(i) the owner shall keep the animal in an enclosure that complies with prescribed criteria;

(ii) if the owner removes the animal from the enclosure, the owner shall muzzle and leash it in accordance with prescribed criteria and keep it under the owner's direct control and supervision;

(iii) the owner shall obtain and keep in effect liability insurance in the prescribed amount to cover damage or injury caused by the animal;

(iv) the owner shall display a sign, in the prescribed form and manner, on his or her property warning of the presence of the animal and shall continue to display that sign in good condition so long as the animal is present on the property;

(v) the owner shall comply with the regulations and the Health of Animals Act (Canada) with respect to the detection and control of rabies;

(vi) if the animal is moved to any other municipality, the owner shall notify the designated officer in the other municipality;

(vii) if the animal is to be sold or given away, the owner shall:

(A) notify any prospective owner that the animal has been declared dangerous, before it is sold or given away; and

(B) notify the designated officer in the municipality of the contact information of any new owner of the animal;

(viii) the owner shall have the animal tattooed in the prescribed manner;

(ix) the owner shall have the animal spayed or neutered;

(x) the owner shall take any other measures that the judge considers appropriate; or

(b) order that the animal be destroyed or otherwise disposed of at the owner's expense and shall, in that case, give directions with respect to the destruction or other disposition.

(6) An order issued pursuant to this section continues to apply if the animal is sold or given to a new owner or is moved to any other municipality.

...

(8) An owner or complainant who feels aggrieved by an order made pursuant to subsection (5) or (7) may appeal the order:

(a) to a provincial court judge by way of a new trial, if the order was made by a justice of the peace; or

(b) to the court, if the order was made by a provincial court judge, on the grounds that it:

(i) is erroneous in point of law;

(ii) is in excess of jurisdiction; or

(iii) constitutes a refusal or failure to exercise jurisdiction.

(9) A person who appeals pursuant to subsection (8) shall, within seven days after the date of the order being appealed from, file a notice of appeal with the judge or court being appealed to, and the provisions of Part XXVII of the *Criminal Code* apply, with any necessary modification.

...

Explanation

Amendments to section 375 give authority to a council to make a dangerous animal declaration and order, if the municipality has adopted an animal control bylaw. However, council cannot make an order to destroy an animal that is declared dangerous; that order must be made by a judge.

Amended subsection (6) ensures a dangerous animal declaration made under one municipal Act remains active if a person moves to a municipality under the authority of another municipal Act.

3-54 Existing Provision

Destruction of animal

379(1) A peace officer or designated officer may destroy any animal that he or she finds injuring or viciously attacking a person or a domestic animal.

(2) A peace officer or designated officer who, acting in good faith, destroys an animal pursuant to subsection (1) is not liable to the owner for the value of the animal.

2005, cM-36.1, s379.

Explanation

Changes expand and clarify authority for a peace officer or designated officer to act if an animal poses an imminent threat in the community.

3-55 Existing Provision

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.

2020, c30, s3-81.

Explanation

If a municipality exercises the authority to make declarations and orders concerning dangerous animals, its animal control bylaw must contain proper policies to ensure fairness and due process.

3-56 Existing Provision

Offences applicable to members of council, commissioners, managers, officials

382 No member of council, commissioner or manager or other official of a municipality shall:

...

(c) fail to hand over to a successor in office, or to the persons designated in writing by the council or the minister, all money, books, records, documents, accounts and other things belonging to the municipality;

(d) impede or attempt to impede a member of council, commissioner, manager or other official of the municipality from lawfully discharging his or her obligations or duties imposed pursuant to this Act or any other Act or any bylaw; or

(e) prevent or attempt to prevent a member of council, commissioner, manager or other official of the municipality from lawfully discharging his or her obligations or duties imposed pursuant to this Act or any other Act or any bylaw.

2007, c30, s5.

Explanation

Amendments to section 382 make harassment of municipal employees an offence under this Act.

3-57 Existing Provision

Minister's power to issue directions and dismiss

399(1) In this section, “**official examination**” means:

...

(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*.

...

(1.2) In an order made pursuant to subsection (1.1), the minister may suspend, censure or otherwise limit the powers and duties of all or any member of council, administrator or designated officer during the conduct of an official examination if the minister considers it in the public interest.

...

2005, cM-36.1, s399; 2014, c19, s32; 2015, c30, s3-29; 2020, c30, s3-86.

Explanation

There are three minor changes to section 399. The first is to include a decision of the Saskatchewan Municipal Board in the definition of “official examination.”

The second clarifies that, in addition to taking action while an official examination is taking place, the minister may also take action following completion of the examination.

Finally, new subsection (1.3) requires a municipal administrator to report to their council on the nature of an official examination and any remedial actions recommended as a result of the examination.

4-1 *The Northern Municipalities Act, 2010*

4-2 **Existing Provision**

Interpretation

2(1) In this Act:

.....

(m) “designated officer” means a person designated by a council, or, in the absence of a designation by the council, the administrator;

(n) “district” means the Northern Saskatchewan Administration District continued pursuant to section 444, and includes any area within the boundaries of a northern settlement or a resort subdivision, but does not include any area within the boundaries of a town, northern village or northern hamlet or within the Flin Flon boundary area;

...

2010, c.N-5.2, s.2; 2015, c.30, s.4-2; 2015, c.L-30.11, s.192 and s.193; 2017, cE-4.01, s.28; 2020, c30, s.4-2; 2024, c4, s.32; 2024, c6, s.4-2.

Explanation

The definition of designated officer will not include designated officers specified under the dangerous animal provisions.

Amending the definition of “district” improves clarity by specifying what the district excludes rather than what it includes, and by stating that the district is a municipality, in alignment with the current definition of “municipality” in this Act.

4-3 Existing Provision

Jurisdiction to pass bylaws

...

8(4) Without restricting the generality of subsection (1), a power to pass bylaws given by this Act is to be interpreted as including the power to do any or all of the following:

...

(b) to deal with developments, activities, industries, businesses or things in different ways, and, in so doing, to divide each of them into classes or subclasses, and deal with each class or subclass in different ways;

...

2010, c.N-5.2, s.8; 2013, c.20, s.3; 2020, c30, s.4-3.

Explanation

Removing the word “developments” clarifies that bylaws related to land use planning and development should be under the authority of *The Planning and Development Act, 2007*.

4-4 Existing Provision

Establishment

34(1) In this Division, “**public utility board**” means a public utility board established pursuant to subsection (2).

(2) A council may, by bylaw:

.....

(d) enter into agreements with other municipalities, Indian bands or persons with respect to the establishment of a public utility board, the delegation of authority to a public utility board, the terms and conditions pursuant to which a public utility board is to operate and other matters that are necessarily incidental to the functioning of a public utility board.

(3) Every public utility board is a corporation.

2010, c.N-5.2, s.34.

Explanation

New subsection (2.1) will require a municipality to consider how a public utility board would be dissolved when first establishing the board.

4-5 Existing Provision

None.

Explanation

New section 34.1 gives a public utility board the authority to own assets, including land.

4-6 Existing Provision

Referral or application to Saskatchewan Municipal Board

...

81(11) No subsequent application pursuant to Division 1 that is, in the opinion of the Saskatchewan Municipal Board, substantially similar to an application or part of the application that has been rejected may be made until at least one year after the rejection.

...

2013, c.20, s.17.

Explanation

Section 81 outlines the role of the Saskatchewan Municipal Board with respect to disputes between municipalities and potential boundary alterations that do not have agreement from all affected municipalities. Subsection (11) states that if the Saskatchewan Municipal Board denies an application for a boundary alteration, a subsequent application cannot be made for at least one year. An amendment to subsection (11) increases the cooling off period after a denied application to three years.

4-7 Existing Provision

None.

Explanation

New section 102.1 will allow a municipal council to appoint an Indigenous advisor to serve as a non-voting advisor to the council. Council would have the ability to appoint an advisor and to give them a title appropriate for their role. This provision is similar to existing section 102 allowing a council to appoint a youth member.

4-8 Existing Provision

General duties of councillors

106 Councillors have the following duties:

(a) to represent the public and to consider the well-being and interests of the municipality;

...

(e) subject to the bylaws made pursuant to section 100.1, to keep in confidence matters discussed in private or to be discussed in private at a council or council committee meeting until discussed at a meeting held in public;

(f) to maintain the financial integrity of the municipality;

(g) to perform any other duty or function imposed on councillors by this or any other Act or by the council.

2010, c.N-5.2, s.106; 2015, c.30, s.4-4.

Explanation

New clause 106(f.1) will require council to consider procedural fairness when making decisions.

4-9 Existing Provision

Code of ethics

107.1(1) A council shall, by bylaw, adopt a code of ethics that applies to all members of the council.

...

2015, c.30, s.4-5.

Explanation

New subsection 107.1(6.1) ensures a contravention for harassment under *The Saskatchewan Employment Act* is also deemed a contravention of a municipality's code of ethics.

4-10 Existing Provision

Oath or affirmation

108(1) Every member of council shall, before carrying out any power, duty or function of his or her office, take an official oath or affirmation in the prescribed form.

...

(3) Every member of council holding office on the day before the coming into force of this section shall take the official oath or affirmation in the prescribed form within 30 days after the council's adoption or amendment of the code of ethics, rules of conduct and procedures applicable to the member's office imposed by this and any other Act and by the council.

2015, c.30, s.4-6.

Explanation

New subsection (1.1) clarifies that a member of council who has not signed the oath of office is not eligible to participate in any council proceeding or meeting and shall be considered absent until signing the oath of office. New subsection (2.1) will require the commissioner or manager to report to council anyone who was elected and has not yet signed the oath of office.

Subsection (3) was adopted in 2015 to aid in the transition of oaths of office and is no longer necessary, so is being repealed.

4-11 Existing Provision

None.

Explanation

New section 108.1 will require every municipality to offer orientation training to council members after each general election.

4-12 Existing Provision

Municipal office

125 A council shall name a place within Saskatchewan as its office.

2010, c.N-5.2, s.125.

Explanation

New subsection (2) adds regulation-making authority regarding policies and standards regarding municipal offices.

4-13 Existing Provision

Protection from reprisal

...

130.1(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:

...

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

...

(b) participated in a review or investigation of a wrongdoing; or

(c) declined to participate in a wrongdoing.

...

2020, c30, s.4-18.

Explanation

Amendments to section 130.1 will better reflect that a complaint of wrongdoing may be brought to the Ombudsman that the Ombudsman does not have the power to investigate. New clause (2)(a.2) will protect municipal employees from reprisal if they bring a complaint of wrongdoing to the Information and Privacy Commissioner, whether or not it is the role of the commissioner to investigate.

4-14 Existing Provision

Inspection of municipal documents

133 (1) Any person is entitled at any time during regular business hours to inspect and obtain copies of:

(a) any contract approved by the council, any bylaw or resolution and any account paid by the council relating to the municipality;

(a.1) the official oaths or affirmations taken by members of council pursuant to section 108;

(b) the statements maintained by the administrator in accordance with section 160 and the debentures register;

(c) the municipality's financial statements prepared in accordance with section 207 and auditor's report prepared in accordance with subsection 211(1);

(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);

(d) any report of any consultant engaged by or of any employee of the municipality, or of any committee or other body established by a council, after the report has been submitted to the council, except any opinion or report of a lawyer;

(e) the minutes of the council after they have been approved by the council; and

(f) any other prescribed report or document.

(2) Within a reasonable time after receiving a request, the administrator shall furnish the copies requested on payment of any fee that the council may fix.

(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) For the purposes of subsection (2), the fee set by council must not exceed the reasonable costs incurred by the municipality in furnishing the copies.

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

2010, c.N-5.2, s.133; 2015, c.30, s.4-8; 2020, c30, s.4-20.

Explanation

Amendments to section 133 will require municipalities to publish financial statements, council and committee minutes, and bylaws on a publicly available website beginning September 1, 2027. Changes to this section also establish timelines for public access to municipal documents and limit the costs a municipality may charge to provide physical copies of municipal documents to actual costs.

4-15 Existing Provision

None.

Explanation

Clause 133(1)(i.1) will include a municipality's public accounts as an item that a municipality must make available to the public. Subsection (2) will require a municipality to publish its public accounts on a publicly available website. This

clause will not be proclaimed until the requirement to publish public accounts is in force.

The Miscellaneous Municipal Statutes Amendment Act, 2020 added the requirement for a municipality to prepare public accounts. New section 207.1 in *The Northern Municipalities Act, 2010* has not been proclaimed.

4-16 Existing Provision

Public notice

146(1) A council shall ensure that public notice is given before initially considering any report respecting a matter listed in clause 145(b), (e), (i), (j), (m), (o), or (q).

...

(3) Subject to the regulations, a council shall, by bylaw, adopt a public notice policy that sets out, with respect to any class or subclass of matters with respect to which public notice is, by this Act, to be given pursuant to this section:

- (a) the minimum notice requirements;
- (b) the methods of notice to be followed; and
- (c) any prescribed matters.

2010, c.N-5.2, s.146.

Explanation

New subsection (3.1) clarifies that municipalities who publish notices online must do so on a publicly accessible website.

4-17 Existing Provision

Public disclosure statement

160(1) Subject to the regulations, every member of council shall, within 30 days after being elected, file a public disclosure statement with the administrator in the form provided by the council.

2015, c.30, s.4-14; 2021, c6, s.23-26.

Explanation

New clause 160(1)(b) will remove the need for an elected official to file a duplicate public disclosure statement after an election, as long as the statement submitted with their nomination papers is still accurate.

4-18 Existing Provision

Financial interest

161(1) Subject to subsection (2), a member of council has a financial interest in a matter if:

...

(b) the member of council or a closely connected person could make a financial profit from or be adversely affected financially by a decision of council, a council committee, a controlled corporation, a municipal development corporation or other body established by the council pursuant to clause 100(a).

(2) A member of council does not have a financial interest by reason only of any interest:

...

2010, c.N-5.2, s.161; 2015, c.30, s.4-15.

Explanation

The amendment corrects an error in clause (1)(b) from “clause 100(a),” which does not exist, to “section 100.”

4-19 Existing Provision

Annual financial statements

...

207(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.

...

2010, c.N-5.2, s.207; 2014, c.A-3.1, s.70; 2020, c30, s.4-28.

Explanation

Section 207 requires municipalities to prepare financial statements. An amendment to subsection (3) aligns with requirements to make financial statements publicly available in full in section 133.

4-20 Existing Provision

Provision of information to assessor

222(1) For assessment purposes, the assessor may, at any time, request any information or document that relates to or might relate to the value of any property from any person who owns, uses, occupies, manages or disposes of the property.

...

(5) Notwithstanding subsection (1) but subject to subsection (7) and section 252, for the purpose of using a valuation technique or method of appraisal based on the use of income or benefits, every owner of an income-producing property, as defined by order of the agency, shall, on or before June 30 of each year, furnish the assessor with a certified statement showing the following information for the owner's previous fiscal year respecting that property:

- (a) the income generated by the owner's property;
- (b) the expenses incurred with respect to the owner's property; and
- (c) any additional information that the agency, by order, may require

(6) The certified statement mentioned in subsection (5) must state that the information provided in the statement is complete, true and accurate to the best of the knowledge and belief of the person making the statement.

...

(8) Subject to subsection (9), every person who, in the course of his or her duties, acquires or has access to any information or document obtained pursuant to subsection (1), (2), (3) or (5) shall:

- (a) keep that information or document confidential; and
- (b) not make any use of or disclose that information or document without the consent of the person to whom the information or document relates.

...

(10) On or before October 1 in each year, every railway company shall furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

(a) the total number of kilometres of the railway roadway situated within the municipality;

...

(12) On or before September 1 in each year, every owner or operator of a petroleum oil or gas well shall furnish the assessor with a certified statement showing the following information as of July 1 in the current year:

(a) the owner's or operator's name and address;

...

(12.1) On or before September 1 in each year, every owner or operator of a battery or gas handling site shall furnish the assessor with a certified statement showing the following information as of July 1 in the current year:

(a) a list of the surface locations of battery and gas handling sites mentioned in clause 221(2)(b) that are situated within the municipality; and

(b) any change in the information mentioned in clause (a) that has occurred since the last information was furnished to the assessor.

(13) On or before March 1 in each year, every owner of a pipeline shall furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

(a) the total number of kilometres of the pipeline right of way situated within the municipality;

...

2010, c.N-5.2, s.222; 2013, c.20, s.29; 2020, c30, s.4-35.

Explanation

Amendments provide for details related to dates and industry-specific assessment reporting to be set out in regulations.

New subsection (12.2) adds assessment reporting requirements for mining operations, similar to railways and oil and gas.

4-21 Existing Provision

Corrections to assessment roll

229(1) If an error or omission in any of the information shown on the assessment roll is discovered, or if a corrective action is required as a result of an assessment audit by the agency, the assessor may correct the assessment roll for the current year only.

2010, c.N-5.2, s.229.

Explanation

This amendment requires an assessor to make corrections to the assessment roll if an error is discovered or a corrective action is required as a result of an assessment audit.

4-22 Existing Provision

Contents of assessment notice

236(1) An assessment notice or an amended assessment notice must contain all of the following:

- (a) the same information that is required to be shown on the assessment roll;
- (b) the date the assessment notice or amended assessment notice is sent to the assessed person;
- (c) the date by which an appeal is required to be made, which date is not less than 30 days after both of the following are sent to the assessed person:
 - (i) an assessment notice or amended assessment notice;
 - (ii) a written or printed notice of appeal in the form established in regulations made by the minister;

....

- (d) the name and address of the designated officer with whom an appeal is required to be filed;

(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;

(2) Notwithstanding clause (1)(c), in the year of a revaluation pursuant to *The Assessment Management Agency Act*, the assessment notice must contain the date by which an appeal is required to be made that is not less than 60 days after the date on which the materials mentioned in that clause are sent to the assessed person.

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

2010, c.N-5.2, s.236; 2013, c.20, s.30; 2020, c30, s.4-38.

Explanation

Changes remove duplicated language regarding appeal dates.

4-23 Existing Provision

Establishment of board of revision

241(1) A council shall appoint a board of revision for the municipality before the assessment roll is prepared pursuant to section 225.

(1.1) The board of revision appointed pursuant to subsection (1) must consist of not less than 3 members and at least one secretary appointed pursuant to section 242.

(1.2) If a centralized board of revision has been established by the minister pursuant to section 243.1, a municipality may appoint the centralized board of revision as the board of revision for that municipality.

...

2010, c.N-5.2, s.241; 2015, c.30, s.4-21; 2020, c30, s.4-40; 2024, c6, s.4-6.

Explanation

Amendment to section 241 adds clarity that a municipality may appoint any certified board of revision as its own board of revision.

4-24 Existing Provision

Fees

...

245(4) The fees paid by an appellant pursuant to subsection (1) must be refunded if:

(a) the appellant is successful in whole or in part on an appeal at either the board of revision or the appeal board;

(b) the appellant's appeal is not filed by the secretary of the board of revision for the reason mentioned in subsection 247(5);

(c) the appellant withdraws an appeal in accordance with section 248;
or

(d) the appellant enters into an agreement pursuant to section 249 resolving all matters on appeal.

...

2010, c.N-5.2, s.245.

Explanation

Changes to section 245 allow council to establish a non-refundable processing fee for assessment appeals in accordance with the regulations.

4-25 Existing Provision

Appeal procedure

246 (1) An appeal of an assessment may only be taken by a person who:

(a) has an interest in any property affected by the valuation or classification of that property; and

(b) believes that an error has been made

(i) in the valuation or classification of the property; or

(ii) in the preparation of or the content of the relevant assessment roll or assessment notice

...

2010, c.N-5.2, s.246; 2013, c.20, s.32; 2015, c.21, s.34; 2020, c30, s.4-46.

Explanation

The amendments require appellants to discuss or attempt to discuss their appeal with the assessor prior to filing an appeal and require that a notice of appeal form includes an authorization if an agent is representing an appellant.

4-26 Existing Provision

Consolidation of Appeals

246.1(1) Subject to the regulations, if more than one party files an appeal pursuant to section 247 regarding the same property, the secretary of the board of revision shall consolidate the appeals so that all appellants and matters are heard in a single hearing.

...

2024, c6, s.4-10.

Explanation

The changes to section 246.1 provide more flexibility to the board of revision secretary to consolidate similar appeals for multiple properties.

4-27 Existing Provision

Filing Notice of Appeal

...

247(4) If, in the opinion of the secretary of the board of revision, the notice of appeal does not comply with section 246, the secretary shall:

(a) notify the appellant and include an explanation of the deficiencies in the notice of appeal; and

(b) grant the appellant one 14-day extension to perfect the notice of appeal.

(5) If the appellant does not comply with a notice given pursuant to subsection (4), the secretary of the board of revision may refuse to file the notice of appeal, which action is deemed to be a refusal by the board of revision to hear the appeal.

...

2010, c.N-5.2, s.247; 2013, c.20, s.33; 2020, c 30, s.4-47; 2024, c6, s.4-11.

Explanation

Change to section 247 removes the discretion of a board of revision secretary to file deficient appeals.

4-28 Existing Provision

Agreement to adjust assessment

249(1) The parties to an appeal may agree to a new valuation or classification of a property, or to changing the taxable or exempt status of a property, if, during the appeal period but before the appeal is heard by the board of revision, all parties to the appeal agree:

(a) to a valuation or classification other than the valuation or classification stated on the notice of assessment; or

(b) to a change in the taxable or exempt status of a property from that shown on the assessment roll.

...

2010, c.N-5.2, s.249; 2020, c 30, s.4-48; 2024, c6, s.4-12.

Explanation

Amendment to section 249 allows an agreement to adjust to be reached at any point before an appeal is heard.

4-29 Existing Provision

Notice of hearing

...

250(2) The secretary of the board of revision shall, at least 30 days before the hearing, serve on the appellant and the assessor a notice of the date, time and location of the hearing and stating that the hearing may proceed in the absence of the appellant, at which time the appeal may be dismissed and no further or other appeal may be taken.

...

2010, c.N-5.2, s.250; 2013, c.20, s.34; 2015, c.21, s.34; 2020, c 30, s.4-49.

Explanation

The amendments allow the deadline for serving notice of the date, time and location for an appeal hearing to be set out in the regulations.

4-30 Existing Provision

Disclosure of evidence

251(1) If an appellant intends to make use of any written materials on the hearing of an appeal, at least 20 days before the date set for the hearing the appellant shall:

(a) file a copy of the materials with the secretary of the board of revision; and

(b) serve a copy of the materials on every other party to the appeal.

(2) If a party to an appeal other than the appellant intends to make use of any written materials on the hearing of the appeal, at least 10 days before the date set for the hearing the party shall:

(a) file a copy of the materials with the secretary of the board of revision; and

(b) serve a copy of the materials on every other party to the appeal.

(3) If an appellant intends to make use of any written materials on the hearing of an appeal in response to written materials served on him or her pursuant to subsection (2), at least five days before the date set for the hearing the appellant shall:

(a) file a copy of the materials in response with the secretary of the board of revision; and

(b) serve a copy of the materials in response on every other party to the appeal.

...

(5) At least 10 days before the date set for the appeal hearing, the assessor shall file with the secretary of the board of revision and serve a copy on all parties to the appeal:

(a) a complete assessment field sheet; and

(b) a written explanation of how the assessment was determined, including:

(i) a statement indicating whether the assessor considered any decisions of the appeal board pursuant to subsection 218(4.1) in determining the assessment; and

(ii) if the assessor did consider one or more decisions of the appeal board in determining the assessment, a statement indicating whether the assessor decided to apply, to apply in part, to apply with modification or not to apply the decision or decisions of the appeal board to the assessment and the reasons for the assessor's decision.

...

2010, c.N-5.2, s.251; 2013, c.20, s.35.

Explanation

Amendments provide for the deadline for filing appeal materials before hearings to be set out in the regulations.

4-31 Existing Provision

Declaration of Confidentiality

252(1) Before providing information to the assessor or any other party to an appeal, the party that is to provide the information may:

(a) declare the information confidential; and

(b) seek an undertaking of the other party that:

(i) all or some of the information so provided is provided solely for the purpose of preparing an assessment or for an appeal hearing; and

(ii) no other use may be made of the information.

(2) Failure to provide an undertaking pursuant to subsection (1) forfeits the right of a party to obtain the information being sought by any other process.

(3) No person who is required to comply with an undertaking given pursuant to this section shall fail to do so.

2010, c.N-5.2, s.252.

Explanation

The changes to section 252 ensure all parties to an appeal are bound by rules regarding confidentiality of the assessment information.

4-32 Existing Provision

Recording of hearing or testimony

259(1) If, at least two days before the day scheduled for the hearing of an appeal to the board of revision, a party to the appeal requests that the hearing or part of the hearing or the testimony of a witness testifying at a hearing be recorded, the chairperson of the board or panel shall order that the hearing or a part of the hearing or the testimony of a witness be recorded by a person appointed by the board.

...

2010, c.N-5.2, s.259; 2020, c 30, s.4-50.

Explanation

The changes allow the deadline to request a court reporter for an appeal hearing to be set out in the regulations.

4-33 Existing Provision

Amending notice of appeal

260(1) On application made by an appellant appearing before it, a board of revision may, by order, grant leave to the appellant to amend his or her notice of appeal so as to add a new ground on which it is alleged that error exists.

(2) An order made pursuant to subsection (1) may be made subject to any terms and conditions that the board of revision considers appropriate.

(3) An order made pursuant to subsection (1) must be in writing.

2010, c.N-5.2, s.260.

Explanation

Amendments to section 260 provide regulation-making authority for when an appellant may amend their appeal grounds after filing an appeal.

4-34 Existing Provision

Direct Appeals

265(1) Notwithstanding section 247, a person may appeal an assessment directly to the appeal board, without leave, if:

- (a) the person has an interest in the assessed properties;
- (b) the total assessment of those properties as recorded in the assessment roll is greater than the prescribed amount; and
- (c) the person, the applicable board of revision and the municipality agree to proceed in accordance with this section.

2010, c.N-5.2, s.265; 2013, c.20, s.37.

Explanation

The amendments provide regulation-making authority for the circumstances in which appeals shall proceed directly to the Saskatchewan Municipal Board.

4-35 Existing Provision

Failure to appear

276(1) If notice is given and a party fails to attend the hearing of the appeal, the appeal board may hear and decide the appeal in the absence of the party.

(2) If notice is given and an appellant fails to attend at the hearing of the appeal, the appeal board may dismiss the appeal without conducting a hearing.

2010, c.N-5.2, s.276.

Explanation

Amendment to section 276 allows any party before the Saskatchewan Municipal Board to request an adjournment if they have more than one hearing in more than one municipality on the same day.

4-36 Existing Provision

Collection from oil or gas well

335(1) If taxes levied in any year with respect to the resource production equipment of a petroleum oil or gas well remain unpaid after that year, the administrator may give notice to any person who purchases oil or gas originating in a well with respect to which the resource production equipment is used that the owner or operator of the well has failed to pay the taxes levied on the resource production equipment.

(2) The administrator shall serve the notice mentioned in subsection (1) by registered mail and the notice is deemed to have been served on the purchaser:

(a) on the delivery date shown on the signed post office receipt card; or

(b) if the delivery date is not shown, on the day on which the signed post office receipt card is returned to the administrator.

(3) The notice must:

(a) identify the wells with respect to which the resource production equipment subject to tax is used; and

(b) state:

(i) the amount of the arrears of taxes claimed; and

(ii) the name and address of the owner or operator of the well.

(4) On service of the notice, the purchaser of oil or gas from any well identified in the notice shall, as any moneys become owing from the purchaser to the

owner or operator of the well with respect to the purchases, remit the moneys to the municipality to the amount claimed in the notice.

2010, c.N-5.2, s.335.

Explanation

Changes to this section give a municipality more tools to recover tax arrears from oil and gas companies by expanding who an administrator may request information from, allowing a municipality to add any costs in recovering arrears to the taxes owing, and ensuring that any notice that cannot be delivered is deemed served.

4-37 Existing Provision

Order to remedy contraventions

384(1) If a designated officer finds that a person is contravening this Act or a bylaw, the designated officer may, by written order, require the owner or occupant of the land, building or structure to which the contravention relates to remedy the contravention.

2010, c.N-5.2, s.384.

Explanation

Changes to section 384 allow a municipality to require the owner or occupant of land adjacent to Crown or municipal land, and who has contravened a bylaw, to remedy the contravention.

4-38 Existing Provision

Adding amounts to tax roll

389(1) A council may add the following amounts to the tax roll of a parcel of land if they remain unpaid as of December 31 in the year in which they were imposed or incurred:

(a) unpaid costs relating to service connections of a public utility that are owing with respect to the parcel;

(b) unpaid charges for a utility service provided to the parcel by a public utility that are owing with respect to the parcel, whether the service was supplied to the owner or a tenant of the land or building, if the municipality has:

(i) provided prior notice to each of the owner and tenant that the charges for the utility service to the parcel are in arrears;

(ii) sent a registered letter to each of the owner and tenant respecting the unpaid charges and the consequences of the unpaid charges at least 30 days before the amounts are to be added to the tax roll;

...

(c) unpaid expenses and costs incurred by the municipality in remedying a contravention of a bylaw or enactment if the contravention occurred on all or part of the parcel;

...

2010, c.N-5.2, s.389; 2013, c.20, s.50; 2020, c 30, s.4-70.

Explanation

Amendments to section 389 allow unpaid costs for remedying a bylaw infraction on Crown or municipal land to be added to the tax roll of the adjacent parcel of land.

4-39 Existing Provision

Liability of owner or person in charge of vehicle

391(1) In this section:

(a) “**authorized person**” means a person who is in charge of a vehicle with the express or implied consent of the owner of the vehicle;

(b) “**owner**” means, with respect to any vehicle, the person to whom a current certificate of registration or registration permit for a vehicle is issued;

(c) “**unauthorized person**” means a person who is in charge of a vehicle without the express or implied consent of the owner of the vehicle.

(2) If a vehicle is used in the commission of an offence against a bylaw, the owner of the vehicle is liable for the offence, as well as any other person who

may have actually committed the offence, unless the owner proves to the satisfaction of the court that, at the time of the offence, the vehicle:

(a) was not being operated and had not been parked or left by the owner; and

(b) was not being operated and had not been parked or left by any authorized person in charge of the vehicle.

(3) If, at the time of the commission of any offence against a bylaw involving a vehicle, the vehicle was not being operated and had not been parked or left by the owner or by any authorized person in charge of the vehicle, the unauthorized person in charge of the vehicle is liable for the offence, as well as any other person who may have actually committed the offence, unless the unauthorized person in charge of the vehicle proves to the satisfaction of the court that, at the time of the offence, the vehicle:

(a) was not being operated, and had not been parked or left by that unauthorized person in charge of the vehicle; and

(b) was not being operated and had not been parked or left by any person in charge of the vehicle with the express or implied consent of that unauthorized person in charge of the vehicle.

2010, c.N-5.2, s.391.

Explanation

Amendments expand the applicability of section 391 to include bylaw offences involving a vehicle so that it applies to more than parking offences (e.g., illegal dumping).

4-40 Existing Provision

Interpretation of Division

395 In this Division:

(a) “judge” means a provincial court judge or a justice of the peace;

...

2010, c.N-5.2, s.395; 2018, c A-21.2, s.40.

Explanation

Amendment to section 395 provides definition for “designated officer” in sections related to dangerous animals.

4-41 Existing Provision

Declaration of dangerous animal

396(1) On hearing a complaint that an animal in a municipality is dangerous, a judge may declare the animal to be dangerous if the judge is satisfied on reasonable grounds that:

...

(4) The owner of an animal complained of, if known, shall be served with notice of a hearing pursuant to subsection (1), but the judge may make an order pursuant to subsection (5) in the absence of the owner if the owner fails to appear.

(5) If a judge declares an animal to be dangerous, the judge shall:

(a) make an order embodying one or more of the following requirements, as the judge considers appropriate:

(i) the owner shall keep the animal in an enclosure that complies with prescribed criteria;

...

(x) the owner shall take any other measures that the judge considers appropriate; or

(b) order that the animal be destroyed or otherwise disposed of at the owner’s expense and shall, in that case, give directions with respect to the destruction or other disposition.

(6) An order issued pursuant to this section continues to apply if the animal is sold or given to a new owner or is moved to any other municipality.

...

(8) An owner or complainant who feels aggrieved by an order made pursuant to subsection (5) or (7) may appeal the order:

(a) to a provincial court judge by way of a new trial, if the order was made by a justice of the peace; or

(b) to the court, if the order was made by a provincial court judge, on the grounds that it:

- (i) is erroneous in point of law;
- (ii) is in excess of jurisdiction; or
- (iii) constitutes a refusal or failure to exercise jurisdiction.

(9) A person who appeals pursuant to subsection (8) shall, within seven days after the date of the order being appealed from, file a notice of appeal with the judge or court being appealed to, and the provisions of Part XXVII of the Criminal Code apply, with any necessary modification.

...

2010, c.N-5.2, s.396; 2020, c 30, s.4-71.

Explanation

Amendments give authority to a council to make a dangerous animal declaration and order, if the municipality has adopted an animal control bylaw. However, council cannot make an order to destroy an animal that is declared dangerous; that order must be made by a judge.

Amended subsection (6) ensures a dangerous animal declaration made under one municipal Act remains active if a person moves to a municipality under the authority of another municipal Act.

4-42 Existing Provision

Destruction of animals

400(1) Without limiting the generality of clause 8(1)(k), a council may pass a bylaw respecting any or all of the following matters:

...

2010, c.N-5.2, s.400.

Explanation

Changes expand and clarify authority for a peace officer or designated officer to act if an animal poses an imminent threat in the community.

4-43 Existing Provision

None.

Explanation

If a municipality exercises the authority to make declarations and orders concerning dangerous animals, its animal control bylaw must contain proper policies to ensure fairness and due process.

4-44 Existing Provision

Offences applicable to members of council, commissioners, managers, officials

403 No member of council, administrator or other official of a municipality shall:

...

(d) impede or attempt to impede a member of council, administrator or other official of the municipality from lawfully discharging his or her obligations or duties imposed pursuant to this Act or any other Act or any bylaw; or

(e) prevent or attempt to prevent a member of council, administrator or other official of the municipality from lawfully discharging his or her obligations or duties imposed pursuant to this Act or any other Act or any bylaw.

2010, c.N-5.2, s.403.

Explanation

Amendments to section 403 make harassment of municipal employees an offence under this Act.

4-45 Existing Provision

Minister's power to issue directions and dismiss

420(1) In this section, "official examination" means:

...

(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*

(1.1) The minister may, by order, direct the council, administrator or a designated officer of the municipality to take any action that the minister considers proper in the circumstances if the minister considers that summary action is necessary because of an official examination.

(1.2) In an order made pursuant to subsection (1.1), the minister may suspend, censure or otherwise limit the powers and duties of all members or any member of council, the administrator or any designated officer of the municipality during the conduct of an audit, inquiry or inspection.

...

2010, c.N-5.2, s.420; 2015, c.30, s.4-29; 2020, c 30, s.4-76.

Explanation

There are three minor changes to section 420 to enhance accountability. The first is to include a decision of the Saskatchewan Municipal Board in the definition of "official examination."

The second clarifies that, in addition to taking action while an official examination is taking place, the minister may also take action following completion of the examination.

Finally, new subsection (1.3) requires a municipal administrator to report to their council on the nature of an official examination and any remedial actions recommended as a result of the examination.

5-1 Existing Provision

The Municipalities Act

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

...

(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.

...

The Northern Municipalities Act, 2010

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

...

(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.

...

Explanation

The Miscellaneous Municipal Statutes Amendment Act, 2020 added the requirement for a municipality to prepare public accounts. New sections 185.1 in *The Municipalities Act* and 207.1 in *The Northern Municipalities Act, 2010* have not been proclaimed.

There are two minor amendments to sections 185.1 and 207.1. The first will create consistent terminology with other sections when referring to a municipality's financial statements. The second will require public accounts to be posted on a publicly available website.

5-2 Existing Provision

Superannuation or group insurance plans

59(1) A council may set up, contract for and maintain:

(a) subject to The Municipal Employees' Superannuation Act, a plan of superannuation or a benefit fund for the benefit of:

(i) municipal employees or any class of municipal employees;

(ii) the employees of any institution operated by a board appointed by the urban municipality;

(iii) the employees of any corporation of which the urban municipality is the majority or sole owner of shares;

(iv) the members of the municipal police force;

(v) employees of any board, association, commission or other organization established pursuant to section 51 by a council; or

(vi) the dependants of any persons mentioned in subclauses (i) to (v);

(b) **Repealed.** 2005, c.M-36.1, s.408.

(2) **Repealed.** 2005, c.M-36.1, s.408.

(3) For the purposes of clause (1)(a), the employees of the management of the Regina General Hospital are, on and from March 2, 1974, deemed to be employees to whom that clause applies.

(4) The board of governors of the Regina General Hospital may enter into agreements with the council of the City of Regina and with a body administering a superannuation plan, on any terms and conditions agreed to between the respective parties, for the purposes of:

(a) terminating the participation of the employees of the Regina General Hospital in the Regina Civic Employees' Superannuation and Benefit Plan;

(b) enrolling those employees in the other plan;

(c) transferring the pension benefit credits to which its employees are entitled pursuant to the Regina Civic Employees' Superannuation and Benefit Plan to the other plan.

1983-84, c.U-11, s.59; 1984-85-86, c.18, s.9;
2005, c.M-36.1, s.408.

Explanation

With the exception of portions of section 59, the entirety of *The Urban Municipality Act, 1984* was repealed when *The Municipalities Act* was adopted in 2005. Section 59 is no longer needed and that Act can now be repealed.

6-1 Existing Provision

None.

Explanation

Most provisions in these amendments will come into force upon Royal Assent.

Amendments that require related regulations will come into force on the order of the Lieutenant Governor.

Amendments related to assessment and taxation and changes to additional service areas and special service areas will come into force on January 1, 2027 to align with the start of a new taxation year.

Prepared by the Ministry of Government Relations