



Province of Alberta

GOVERNMENT ORGANIZATION ACT

# **MUNICIPAL AFFAIRS GRANTS REGULATION**

**Alberta Regulation 123/2000**

With amendments up to and including Alberta Regulation 31/2012

Office Consolidation

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(Consolidated up to 31/2012)

**ALBERTA REGULATION 123/2000**

**Government Organization Act**

**MUNICIPAL AFFAIRS GRANTS REGULATION**

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**Interpretation**

**1** In this Regulation, “Minister” means the Minister of Municipal Affairs.

AR 123/2000 s1;173/2007;180/2009

**Grant authority**

**2** The Minister is hereby authorized to make grants in accordance with this Regulation.

**Delegation by Minister**

**3** The Minister is authorized to delegate any function, duty or power under this Regulation to any person who is an employee of the Government and who is under the administration of the Minister.

**Agreements**

**4** The Minister may enter into an agreement with an applicant in respect of any matter relating to the payment of a grant.

**Method of grants payment**

**5** The Minister may provide for the payment of any grant in a lump sum or by way of instalments and may prescribe the time or times at which the grant is to be paid.

**Refund of surplus**

**6** Where a grant is made and the recipient does not use all the money for the purpose for which the grant funds were provided, the recipient must refund the surplus money to the Minister, in favour of the Minister of Finance.

AR 123/2000 s6;27/2002;173/2007;14/2010;31/2012

**Use of grant**

**7(1)** The recipient of the grant must use the grant

- (a) only for the purpose for which the grant was made, or
- (b) for any variation of that purpose approved by the Minister.

**(2)** If the recipient of the grant does not meet the conditions on which the grant was made or if the information provided by the recipient to obtain the grant is determined by the Minister to be false, misleading or inaccurate, the Minister may require the recipient to refund all or part of the grant to the Minister, in favour of the Minister of Finance.

AR 123/2000 s7;27/2002;14/2010;31/2012

**Accounting for grant expenditure**

**8(1)** The Minister may at any time require the recipient of the grant to report in writing on the work and activity in respect of which the grant was made and provide proof of all expenditures made, to the satisfaction of the Minister.

**(2)** A report referred to in subsection (1) must be in a form satisfactory to the Minister and must contain any other information required by the Minister relating to the expenditure of the grant.

**(3)** The recipient of a grant must permit the Minister or the Minister's representative, authorized in writing, to examine, during regular business hours, the books or records relating to the expenditure of the grant to determine if the grant has been properly spent.

**Debts to Crown**

**9** If a person, municipality or organization that is to receive a grant under this Regulation owes money to the Crown in right of

Alberta, the Minister may deduct all or a portion of the money owing from the grant.

**Repeal**

**10** The *Municipal Affairs Grants Regulation* (AR 82/78) is repealed.

**Expiry**

**11** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on March 31, 2015.

AR 123/2000 s11;354/2003;40/2009;14/2010

**Schedule 1****General Grants**

**1** The Minister may make grants pursuant to this Schedule for any purpose that relates to a program, service or other matter under the administration of the Minister.

**2** The following are eligible to apply for a grant under this Schedule:

- (a) a person or organization engaged in research activities related to municipal matters;
- (b) a person or organization that provides a service relating to municipal matters;
- (c) an advisory committee appointed under the *Municipal Government Act* or elected under the *Special Areas Act*;
- (d) a municipal corporation;
- (e) a regional services commission established under the *Municipal Government Act*;
- (f) a person, organization or government body that is involved in providing a program or service or dealing with a matter that is under the administration of the Minister.

**3** An application for a grant under this Schedule may be made in such manner and in such form as the Minister prescribes and must contain at least the following information:

- (a) the name and address of the applicant;
- (b) the legal status of the applicant;
- (c) the disclosure of principal members in the company or organization, where the applicant is a limited company or partnership;
- (d) the details of other grants paid to or applied for by the applicant as well as the grants paid by the Minister to the applicant in the previous year;
- (e) the purpose and use of the grant, including the time period for which the grant is to apply and any formula used by the applicant to calculate the amount of the grant that is being applied for.

**4** The Minister may attach any conditions to any grant made under this Schedule, including either or both of the following:

- (a) that on a date after the grant is made, the person or organization receiving the grant must produce evidence satisfactory to the Minister of the manner in which the grant was used;
- (b) that the person or organization receiving the grant agrees to permit the Government of Alberta to make an evaluation of the project related to the grant.

**5** Where the person or organization receiving the grant wishes to use the grant for purposes not stated in the application, that person or organization must apply to the Minister to do so and the Minister may authorize use of the funds for the purpose not stated in the original application if

- (a) that purpose falls within section 1 of this Schedule, and
- (b) the Minister is satisfied the grant should be used for that purpose.

## **Schedule 2**

### **Grants in Place of Taxes for Seniors' Accommodation Units**

**1(1)** For the purpose of this section,

- (a) “non-profit organization” means

- (i) a society incorporated under the *Societies Act*, or
  - (ii) a corporation incorporated in any jurisdiction, or any other entity established under a law of Canada or Alberta, that is prohibited from distributing income or property to its shareholders or members during its existence or on its dissolution;
- (b) “senior’s accommodation unit” means a housing facility that is occupied by a senior citizen who rents or leases the facility and that is part of a property complex
- (i) in which or in any part of which that senior citizen has no fee simple or life estate interest,
  - (ii) that may provide housekeeping, meals or other services to the senior citizen,
  - (iii) that is operated and held by a non-profit organization, and
  - (iv) that is not exempt from taxation under section 362(1)(n)(iii) or (iv) of the *Municipal Government Act* or under a regulation made pursuant to section 370(c) of that Act.

(2) The Minister may make grants pursuant to this Schedule to provide for grants in place of taxes for seniors’ accommodation units.

(3) A grant is payable under this Schedule in respect of a facility for taxes imposed in each of the years from 2002 to 2015, both inclusive, if the municipality received a grant under this Schedule in respect of the facility in 2001.

(4) A grant under this Schedule may not exceed in each year 100% of the property tax payable for the year, excluding requisitions and penalties.

AR 123/2000 Sched.2;31/2001;50/2003;204/2004;175/2006;173/2007;  
40/2009;110/2010;222/2010

**Schedule 3** Repealed AR 14/2010 s4.

## Schedule 4

### Unconditional Municipal Grant Program

1 In this Schedule, “municipality” means a city, town, village, summer village, municipal district, specialized municipality, improvement district or special area.

**2(1)** The Minister may make grants under this Schedule to municipalities and Metis settlements.

**(2)** The grants are unconditional as to their use by the municipalities and Metis settlements.

**3** Sections 6, 7 and 8 of this Regulation do not apply to a grant under this Schedule.

**4** A municipality or a Metis settlement that receives a grant under this Schedule must, on request of the Minister, provide information satisfactory to the Minister on how the grant was used.

AR 123/2000 Sched.4;50/2003

## **Schedule 5**

### **Municipal Sponsorship Program**

**1** In this Schedule, “municipality” means a city, town, village, summer village, municipal district, improvement district, special area, or specialized municipality.

**2** The Minister may make conditional grants to municipalities, educational institutions, non-profit organizations or Metis settlements for the purpose of carrying out projects

- (a) to improve municipal governance or administration,
- (b) to enhance municipal services or service delivery,
- (c) to increase intermunicipal co-operation, or
- (d) to provide services relating to municipal matters.

**3(1)** A municipality is eligible to apply for grants under this Schedule if its population does not exceed 20,000 based on the latest official population list of the Department of Municipal Affairs.

**(2)** An application for a grant under this Schedule must be made in the manner and form satisfactory to the Minister.

**4** The Minister is authorized to enter into agreements with municipalities, Metis settlements, educational institutions and non-profit organizations to provide conditional grants under this Schedule.



**5** Grants made under this Schedule must be used

- (a) for the purposes approved, and
- (b) subject to the conditions set out in the agreement.

**6** If a municipality, Metis settlement, educational institution or non-profit organization has not met the conditions in the agreement, or has used the grant for unauthorized purposes, the Minister may require that body to refund the grant or a portion of it to the Minister, in favour of the Minister of Finance.

AR 123/2000 Sched.5;27/2002;50/2003;143/2004;  
173/2007;14/2010;31/2012

**Schedule 6****Underground Petroleum Tank Site  
Remediation Program****Definitions****1** In this Schedule,

- (a) “contamination” means pollution that is associated with the leakage of a petroleum product from an underground petroleum tank of any or all of the following:
  - (i) soil;
  - (ii) water;
  - (iii) air;
- (b) “petroleum product” means fuel that is required for the operation of a motor vehicle and is available for retail sale to the public;
- (c) “petroleum tank” means a vessel used for storing a petroleum product.

**Purpose of grants**

- 2**
- The Minister may make grants pursuant to this Schedule to assist in the assessment and remediation of contamination.

**Application**

- 3**
- An application for a grant under this Schedule must be on a form approved by the Minister.

**Conditions to grant**

**4** The Minister may attach conditions to any grant made pursuant to this Schedule.

**Review of grant**

**5** The Minister may establish a mechanism to review any decision relating to a grant applied for, made or to be made pursuant to this Schedule.

**Retroactive grant**

**6(1)** Where the assessment and remediation of contamination have been completed or partially completed before the applicant makes an application for a grant under this Schedule, the Minister may make a retroactive grant in respect of those activities.

**(2)** No grant may be made under this section in respect of activities described in subsection (1) carried out before September 1, 1992.

AR 15/2001 s2;297/2006

**Schedule 7****Municipal Sustainability Initiative**

**1** In this Schedule,

- (a) “municipality” means a city, town, village, summer village, municipal district, improvement district, special area or specialized municipality;
- (b) “non-profit organization” means
  - (i) a society incorporated under the *Societies Act*, or
  - (ii) a corporation incorporated in any jurisdiction, or any other entity established under a law of Canada or Alberta, that is prohibited from distributing income or property to its shareholders or members during its existence or on its dissolution.

**2** The Minister may make grants pursuant to this Schedule to municipalities, Metis settlements, educational institutions and non-profit organizations and to persons, organizations and government bodies that are involved in providing programs or services or dealing with matters that are under the administration of the Minister for the purpose of carrying out projects or activities to

- (a) assist municipalities to manage growth pressures,

- (b) enhance and support increased intermunicipal co-operation,
- (c) enhance and support the long-term sustainability of municipalities, or
- (c.1) provide services relating to municipal matters.
- (d) Repealed AR 180/2009 s13.

**3** The Minister may establish eligibility criteria for grants that may be made under this Schedule.

**4** The Minister may establish conditions on which grants under this Schedule may be made.

**5** An application for a grant under this Schedule must be made in the manner and form satisfactory to the Minister.

AR 173/2007 s7;180/2009;14/2010

## **Schedule 8**

### **Public Library Service**

**1(1)** In this Schedule,

- (a) “appropriation” with respect to a municipal board, intermunicipal library board or library system board means the amount of money appropriated for a year by each municipality or by the members of the library system for the operation of the municipal library, intermunicipal library or library system, minus
  - (i) the amount of any money paid to each municipality or members of the library system by the Government of Canada or the Government of Alberta by way of a grant for library purposes for that year, and
  - (ii) the amount of any money paid during that year by the municipal board, intermunicipal library board or library system board as rent to the municipality or members of the library system;
- (b) “Guidelines” means the Public Library Service Grant Program Guidelines established by the Minister;
- (c) “member” with respect to a library system means a municipality, improvement district, special area, Metis settlement or school authority that is, under section 14 or 15 of the *Libraries Act*, a member of the library system;
- (d) “per resident share of the appropriation” means,

- (i) in respect of a municipal library, the appropriation for the municipal board divided by the number of residents of the municipality,
  - (ii) in respect of an intermunicipal library board, the appropriation for the intermunicipal library board divided by the number of residents of the participating municipalities, and
  - (iii) in respect of a library system, the appropriation for the library system board divided by the number of residents of the members of the library system;
- (e) “resident” means,
- (i) in respect of a municipal library, a resident of the municipality for which the municipal library is established,
  - (ii) in respect of an intermunicipal library board, a resident of a participating municipality for which the intermunicipal library board is established,
  - (iii) in respect of a library system, a resident of the area of the municipality, improvement district, special area, Metis settlement or school authority that is a member of the library system, and
  - (iv) in respect of a community library, a resident within the boundaries of the community library.

**(2)** For the purpose of clause (d), the number of residents shall be determined under the Guidelines.

**2** An application for a grant under this Schedule must be made in the manner and form provided for in the Guidelines.

**3** A board is not eligible for a grant under this Schedule if it does not comply with the *Libraries Act* and the regulations under it.

**4** The Minister may establish conditions on which a grant under this Schedule may be made.

### **General Grants**

**5(1)** In this section,

- (a) “Alberta organization” means

- (i) a corporation incorporated or continued under the *Companies Act* or the *Business Corporations Act*,
  - (ii) a society incorporated under the *Societies Act*,
  - (iii) an ordinary or limited partnership formed in Alberta,
  - (iv) a limited partnership formed in a jurisdiction, other than Alberta, that is registered under Part 2 of the *Partnership Act*,
  - (v) a municipality,
  - (vi) an Indian band located in Alberta,
  - (vii) a Metis settlement, or
  - (viii) a board, other than a board as defined in the *Libraries Act*, society, council, committee or incorporated congregation established pursuant to an enactment;
- (b) “Canadian corporation” means a corporation or society incorporated or continued in a jurisdiction in Canada, other than Alberta.
- (2)** The Minister may make grants to
- (a) boards for completing, amalgamating or restructuring library systems,
  - (b) boards to assist in restructuring due to municipal reorganization,
  - (c) boards, Alberta organizations and Canadian corporations for research, development and promotion of programs dealing with public library services, and
  - (d) boards to assist in the development of resource-sharing networks in Alberta.

### Operating Grants

**6(1)** In this section, “expenditure” in respect of a year means the amount of money expended in that year for library purposes by a community board from funds under its control other than

- (a) funds that are paid by the Government of Canada or the Government of Alberta by way of a grant for library purposes for that year, and

- (b) funds received from improvement districts, municipal boards, or intermunicipal library boards for that year.
- (2)** The Minister may, in accordance with the Guidelines, make a grant in a year under this section
- (a) to assist a community board in providing public library services in the year, if the community board had an expenditure in the previous year,
  - (b) to assist a municipal or intermunicipal library board in providing public library services in the year, if an amount of at least \$2 per resident is appropriated in respect of the residents of the municipal or intermunicipal library board,
  - (c) to assist a library system board in providing public library services in the year, if an amount of at least \$1 per resident is appropriated in respect of the residents of the library system board, and
  - (d) to assist a federation board in providing public library services in the year.

### **Library Services Grants**

**7(1)** The Minister may make a grant under this section in accordance with the Guidelines to a municipal board, intermunicipal library board or community board that receives financial assistance from an improvement district, summer village or special area.

**(2)** A grant under this section may be used only to provide library services to libraries in the improvement district, summer village or special area.

**8(1)** The Minister may make a grant under this section in accordance with the Guidelines

- (a) to a library system board in respect of
  - (i) a member of the library system that does not have a municipal board, or
  - (ii) a member of the library system that has a municipal board or intermunicipal library board, but the municipal board or intermunicipal library board has not applied for a grant for that year under section 6(2)(b).

**(2)** A grant under this section may be used only to provide library services to libraries within the library system.

(3) A library system board is not eligible to receive a grant under this section for a year unless the per resident share of the appropriation for the library system board for the year is at least \$3 per resident.

### Establishment Grants

9(1) Subject to subsection (2), the Minister may make an establishment grant, in accordance with the Guidelines, to a library system board to assist in the establishment or completion of a library system with respect to

- (a) a library system board being established under section 14 of the *Libraries Act*,
- (b) a municipality, improvement district, special area or Metis settlement becoming a member of the library system, or
- (c) a member of the library system undergoing an increase in population because of the annexation of land from a municipality, improvement district or special area that was not a member of the library system.

(2) An establishment grant may not be made to a library system board with respect to the City of Edmonton or the City of Calgary or in the case of a merger of 2 or more library systems.

(3) An application for a grant under this section must include

- (a) in the case of a new member joining a library system, evidence satisfactory to the Minister of the number of residents of the new member and a copy of the library system's agreement referred to in section 13 of the *Libraries Act* signed by the new member, and
- (b) in the case of an annexation, evidence satisfactory to the Minister of the number of residents within the boundaries of the annexed land.

(4) An application for a grant under this section must be submitted within 60 days after the event referred to in subsection (1) occurs.

AR 142/2009 s2;288/2009