

68-D-51
c. 1

NOT FOR LOAN
NE S'EMPRUNTE PAS

DOMINION - PROVINCIAL CONFERENCE

ON

MUNICIPAL STATISTICS IN CANADA

CLASSIFICATION OF DIFFERENT TYPES

OF

LOCAL GOVERNMENT UNITS

IN CANADA

-----+ + +-----

Statistics Statistique
Canada Canada
NL 71.
LIBRARY
BIBLIOTHÈQUE

DOMINION BUREAU OF STATISTICS

In accordance with a resolution adopted at the first Dominion-Provincial Conference on Municipal Statistics held in 1937, the Dominion Bureau of Statistics prepared a classification of the different types of local government units in Canada which was presented at the second Conference meeting in May, 1940. It was found necessary to revise the text matter owing to legislative amendments taking place since the first report was prepared.

The chart represents a summarized statement of pre-requisites for incorporation of municipal units in each province which permits of a comparative ready reference as between provinces. This is followed by more fully detailed definitions which were provided by kind co-operation of officials of the Municipal Affairs Departments in the several provinces.

The present report was prepared by the Finance Statistics Branch under the direction of Col. J. R. Munro.

R H Coats

R. H. Coats,
Dominion Statistician.

Ottawa, October 25th, 1940.

SUMMARIZED DEFINITIONS OF MUNICIPAL UNITS, BY PROVINCES
(N.B. - The first figure in each column indicates population).

UNIT	PRINCE EDWARD ISLAND	NOVA SCOTIA	NEW BRUNSWICK	QUEBEC
City	Special legislation for each.	Special legislation required. Each is a self governing unit within limits of its charter in respect of matters not dealt with by Provincial Legislation.	Special legislation for each.	6,000 - Area not specified. Notwithstanding population figure a city may be incorporated by special act.
Town	Population and area requirements not specified.	1,500 - Area not more than 640 acres. Glace Bay and Dartmouth incorporated by special acts.	1,000 - Area not specified.	2,000 - Area not specified. Notwithstanding population figure a town may be incorporated by special act.
Village	Population and area requirements not specified.	No corporate entity known as a village, but the Village Supply Act provides for certain utility services.	300 - Area not exceeding 1,500 acres.	40 inhabited houses within a space of 60 superficial arpents and the taxable immoveable property thereof must have a value of at least \$50,000. Special provision is made for certain areas adjoining the National Transcontinental Railway.
Township				See Municipality (General).
Police District or Police Village.			Special legislation for each.	
School District.		Each town and city comprises one school district. There are also 1,476 rural school districts and 254 village school districts. The latter which though rural in character are so styled for administration of augmented departmental management.	Minimum 50 resident children between 6 and 16, unless district contains $3\frac{1}{2}$ square miles.	Municipal corporations have no jurisdiction concerning school matters.

SUMMARIZED DEFINITIONS OF MUNICIPAL UNITS, BY PROVINCES

(N.E. - The first figure in each column indicates population).

ONTARIO	MANITOBA	SASKATCHEWAN	ALBERTA	BRITISH COLUMBIA
15,000 - Area not specified.	10,000 - The four cities are each incorporated by special act.	5,000 - Subdivided area. No limit as to size.	Special legislation for each. 2,500 in practice but neither population nor area specified in statutes.	100 Male British subjects 21 years of age. Area not to exceed 2,000 acres. For details see page 13. Vancouver City is governed by special incorporation act.
2,000 if in a county; 500 if in unorganized territory. Area not to exceed 500 acres for the first 1,000 or less, but 200 acres or fraction may be added for each additional 1,000 population or fraction thereof if in a county, 750 acres if in unorganized territory and population is 500, but 300 acres or fraction may be added for each additional 500 population or fraction thereof.	1,500 - Area not more than 640 acres unless population exceeds 2,000 then 160 acres may be added for every additional 1,000 inhabitants.	500 - Subdivided area. No limit as to size.	700 in practice. No limit of area specified in the Town and Village Act, but the area at incorporation is that of the original village plus any adjoining land on which there is one occupied dwelling or place of business for every five acres.	No act provides for the creation of towns as governmental units.
751 if in a county - Area not exceeding 500 acres if population is 1,000 or less; 200 acres or fraction may be added for each additional 1,000 population or fraction thereof. In districts villages are created by a special act. Area and population are not specified.	500 - Area not more than 640 acres unless population exceeds 2,000, then 160 acres may be added for every additional 1,000 inhabitants over the first 2,000.	100 - Subdivided area not to exceed 240 acres.	35 separate and occupied dwellings; Area - no limit specified. The Town and Village Act requires each dwelling to have been occupied continuously for a period of at least one month.	Inhabitants of any area which is not included within the limits of any municipality may upon receiving a petition conforming to the requirements of the Act be incorporated into a village municipality.
In unorganized territory 100 - Area 20,000 acres if locality not surveyed into townships. The boundaries of townships in counties fixed by statute; area and population not specified.				No act provided for the creation of townships as governmental units.
150 - Not exceeding 500 acres, but may be increased by 20 acres for each additional 100 population over 500. Governed by a Local Board of Trustees. While having certain local powers it is not an incorporated village and for general municipal purposes forms part of the township in which it is situated.				
In districts, school sections may be formed comprising the whole or part of any unorganized township or parts of two or more adjoining townships. Also school sections may be formed in any part of the province which has not been surveyed into townships. Area of school section in an unorganized township is limited to a length or breadth not exceeding 5 miles. No restrictions as to size of school sections in un-surveyed areas.	There are several classes of school districts. For details see page 9.	10 children of school age. Rural areas usually cover 20 square miles. Urban areas vary. For details see page 12.	Public - 4 persons who on establishment of district would be liable to assessment, and 8 children not younger than 5 nor older than 16 years of age. Area not to exceed 4 miles in length or breadth exclusive of road allowance.	

SUMMARIZED DEFINITIONS OF MUNICIPAL UNITS, BY PROVINCES
(N.B. - The first figure in each column indicates population).

UNIT	PRINCE EDWARD ISLAND	NOVA SCOTIA	NEW BRUNSWICK	QUEBEC
District Municipality.				
Other Local Boards				
Municipality (General)		24 municipalities for governmental purposes. Where a whole county is not a municipality that county is divided into 2 municipalities within the county lines. Any incorporated city or town within the boundaries of a municipality is excluded from any jurisdiction by the Municipal Council.	A county, city, town or incorporated village, including the corporation and local board thereof.	300 - All local municipalities (other than cities, towns or villages) called parishes or townships constitute rural municipalities.
Hamlets				
Rural Telephone Companies.				
Union Hospital Districts				
Local Improvement Districts				
Counties and County Councils.		Divided in 18 counties and much of the administrative work of the province is conducted in accordance with county lines. A county has no administrative function.		County Councils comprise the Mayors of all village and rural municipalities situated in the 76 municipal counties of the province whose functions are similar to those of Ontario or to Joint Expenditure Boards of Nova Scotia.
Poor Districts.		Each municipality constitutes one or more poor districts whose activities are controlled by the Municipal Council.		
Joint Expenditure Boards - Arbitration Committees.		Court houses, jails and poor houses are maintained for the joint benefit of municipalities and the proportion of expenditure to be paid by each municipality is settled by an arbitration committee or a joint expenditure board.		
Municipal Corporations			Incorporated under special acts constituting a commission governed by a Board of Commissioners.	

SUMMARIZED DEFINITIONS OF MUNICIPAL UNITS, BY PROVINCES
(N.B. - The first figure in each column indicates population).

ONTARIO	MANITOBA	SASKATCHEWAN	ALBERTA	BRITISH COLUMBIA
	Inhabitants of any locality not included within the limits of a municipality may upon petition be incorporated as a municipal district.		Restrictions as to number of residents or size of area not specified in statutes. In practice area is usually 9 townships.	30 Male British subjects 21 years of age. Area not specified.
In unorganized townships, a Board of Road Commissioners may be formed for an unspecified area at a meeting of at least 20 resident land holders. All other Local Boards operate within municipalities.				
A locality, the inhabitants of which are incorporated. Cities, towns, villages, townships and counties are the only municipalities.	There are 117 rural municipalities. No requirements as to population. Boundaries established by "The Municipal Boundaries Act". Area varies from 4 townships to 21 townships (approximately) (See text, page 9)	No requirements as to population. Area usually 324 square miles.	A locality the inhabitants of which are incorporated.	
		No requirements as to population. Subdivided area including small portions of farm lands used as sites for businesses or some similar purpose other than agricultural.		
		No requirements as to population. Pole-line only. No limit as to mileage.		
		No requirements as to population. Area varies.		
		No limit as to population. Usually 324 square miles.	Areas not incorporated as municipalities are termed "Improvement Districts" and "Special Districts".	
County boundaries are fixed by statute. Population requirements not specified. Power to levy taxes only against the constituent towns, villages and townships. County councils comprise representatives from these local municipal councils.				
3 Provincially appointed Commissions incorporated by statute have certain powers of municipal corporations within specified areas.				

DOMINION BUREAU OF STATISTICS

BRIEF STATEMENT OF THE LAW AND PRACTICE

IN EACH PROVINCE FOR THE ORGANIZATION

AND INCORPORATION OF MUNICIPAL GOVERNMENT UNITS

As at September 1, 1940.

PRINCE EDWARD ISLAND

- (I) "An Act for the better government of certain towns and villages in this Island," passed in 1870 and amended in 1874. This Act does not specify a population requirement. No incorporations have as yet been made under its authority. It makes no provision for the erection of cities.
- (II) Special Act - By this is meant a special Act of the provincial legislature. All incorporations to date have been made under Special Acts.

NOVA SCOTIA

- (I) City - Self governing unit within limits of its charter in respect of matters not dealt with by Provincial Legislation.
- (II) Town - Scattered throughout the various municipalities of the Province there are forty-three incorporated towns.

With the exception of the Town of Dartmouth and the Town of Glace Bay each of these towns are formed under the provisions of the Towns' Incorporation Act, Chapter 84 of The Revised Statutes, 1923, the population of which shall not be less at the time of incorporation than fifteen hundred persons dwelling within an area of not more than six hundred and forty acres.

The Town of Glace Bay and the Town of Dartmouth are incorporated by special Acts of the Legislature and take some of their powers by virtue of the special Acts and the remainder of their powers from the Towns' Incorporation Act, but for the purposes of classification all incorporated towns can be regarded as an independent local government unit with exclusive jurisdiction to vote, rate, collect, receive, appropriate and pay all sums of money required by the Town for town purposes and in addition has the exclusive right to borrow money for town purposes and to make by-laws for the government of the town; as in the case of municipalities these two last mentioned powers are subject to the approval of the Minister of Municipal Affairs.

Every incorporated town is governed by a Mayor and Town Council consisting of not less than six councillors.

- (III) Village - Strictly speaking there is in Nova Scotia no corporate entity known as a village but pursuant to the powers contained in The Village Supply Act, Chapter 88 of The Revised Statutes, 1923, the residents of unincorporated localities within a municipality may for the purpose of providing themselves with water, sewerage, electric light and fire protection incorporate a Board of Commissioners to manage and administer any such service.

NOVA SCOTIA - Continued

Such a Board of Commissioners has power to rate and also to raise money by the issuance and sale of debentures which constitutes a charge on the property within the limits of the jurisdiction of the commissioners and such borrowing is not subject to any control or approval by the Municipal Council or by the Minister of Municipal Affairs. In lieu of incorporating a Board of Commissioners under The Village Supply Act a number of local districts have incorporated such Commissioners under a special Act of the Legislature. In these cases the powers, duties and obligations of the Commissioners are comparable to those given or imposed by The Village Supply Act.

- (IV) County - The Province of Nova Scotia is divided into eighteen counties and much of the administrative work of the Province is conducted in accordance with county lines. Thus the sittings of the Supreme and County Courts are arranged according to counties and the Judges of the County Court are appointed for one or more of the counties; each county has a High Sheriff whose jurisdiction is limited to and is exclusive in his county and the Probate Districts of the Province are with two exceptions divided on county lines and the jurisdiction of a Registrar is generally limited to one of the counties.

A county as such has no administrative functions.

- (V) Municipality - The main divisions of the Province for governmental purposes are the twenty-four municipalities each governed by a Warden and Municipal Council.

The majority of Nova Scotia Municipalities comprise one county, but six counties of the Province are divided into two municipalities each, although in no case do the boundaries of any municipality overlap county lines. In other words, where a whole county is not a municipality that county is divided into two municipalities within the county lines.

Any city or incorporated town that lies within the boundaries of a municipality is excluded from any jurisdiction by the Municipal Council and has its own Government as will hereafter appear.

A municipality has the exclusive right to vote, rate, collect, receive, appropriate and pay all sums of money required by the municipality for its purposes, and has the exclusive right to make by-laws. The right to borrow money and to make the by-laws is, however, subject to the approval of the Minister of Municipal Affairs.

The various municipalities take their powers from and are limited by The Municipal Act, being Chapter 4 of the Acts of 1940, which is in effect a consolidation of the earlier Municipal Acts of the Province.

Each municipality is governed by a Warden and Municipal Council. The councils are of various sizes and generally speaking each district of a municipality elects one councillor to the Municipal Council.

NOVA SCOTIA - Continued

- (VI) School District - There are in the entire Province 1,775 separate school districts, each of which has the power to rate, collect, appropriate and pay school rates and taxes.

Each incorporated town and the two cities in the Province comprise one school district each, which for convenience are classified as urban districts. The remaining 1,730 school districts are divided into two classes, rural districts to the number of 1,476 and village districts to the number of 254. This last mentioned division is an artificial one as village section is merely a convenient term for a rural district that maintains more than one department in its school or schools.

With the exception of the forty-five urban school districts each school district rates, assesses, collects, appropriates and expends its own money for educational requirements and also expends the municipal grant made by the Municipal Council of the municipality in which the school district is situated.

The rural and village districts in addition to making an annual levy for school purposes, are authorized to borrow money on the credit of the school district and such borrowings are not subject to the control of the Municipal Council or to the Department of Municipal Affairs.

In the case of the urban school districts the council of the city or incorporated town, as the case may be, carries out all the functions usually performed by the independent school sections.

- (VII) Poor District - Each municipality of the Province constitutes one or more poor districts and generally speaking the Municipal Council is required to appoint overseers of the poor in each such district.

Such overseers annually estimate the amount required for the support of the poor in their district and report the same to the annual meeting of the Council. The sums voted by the Council for the relief of the poor are expended by the overseers for the purposes for which the same were voted and records of their proceedings and expenditures are maintained by each body of overseers. Overseers of the poor have no administrative functions beyond the furnishing of relief and the support to all indigent persons having a settlement in such poor district. Overseers of the poor may require any poor person applying for relief to go into and be lodged and kept in any poor house maintained by a poor district or by any municipality, city or town.

- (VIII) Joint Expenditure Board, Arbitration Committee - There is within each county of the Province not less than one court house and jail and practically every county has a poor house. The court houses, jails, poor houses and some other objects of municipal expenditure are frequently maintained for the joint benefit of municipalities and cities and towns and the proportion of such expenditure which should be borne by the municipalities and the cities and towns is settled by an arbitration committee appointed annually by the Council of every municipality, city and town.

NOVA SCOTIA - Concluded

In one or two cases the arbitration committee has been dispensed with and by virtue of special legislation a joint expenditure board is created to perform the duties and have the powers that would otherwise vest in the arbitration committee. Such arbitration committees and joint expenditure boards determine what objects are for the joint benefit and adjust differences in the standard of assessment and determine what proportion of expenditures incurred by the municipality for a joint benefit should be borne by each municipality, city or town.

Where court houses, jails, poor houses or other objects of municipal expenditure are maintained for the joint benefit of a municipality and cities and towns, the cost of erecting the buildings is always borne by the municipality or if there are two municipalities by the municipality in which the building is situated and the cities and towns and other municipalities enjoying any benefit therefrom make an annual contribution to the principal municipality for interest on and amortization of the loan. In the same manner the annual expense of maintaining or operating the building is borne by the principal municipality and the remaining municipality, if any, and the cities and towns contribute their proper share of this expense.

In the case of Joint Expenditure Boards the payments are made to the Joint Expenditure Board by each municipality, city and town and the Board itself disburses the funds so received.

NEW BRUNSWICK

- (I) City - No statutory provision has ever been made in regard to the erection of cities, but they may be erected by special acts.
- (II) Town - The Town Incorporation Act, 1896. R.S. 1927, c. 179, s. 4; Previous to the passing of this Act, no statutory provision existed for the erection of a town. This Act now provides that when the inhabitants of a town not now incorporated desire to become incorporated hereunder, a requisition, signed by at least fifty ratepayers of the town, shall be presented to the sheriff of the county in which such town is situated, requesting such sheriff to hold an election of the ratepayers of the town to determine whether the inhabitants thereof shall become incorporated under the provisions of this Chapter. The sheriff shall not act upon such a requisition unless he is satisfied that the population within the boundaries of the proposed town exceeds 1,000.
- (III) Village - The Village Incorporation Act, 1920, c. 56: No statutory provision for the erection of a village existed until this Act was passed. It requires a population of 300 persons on an area not greater than 1,500 acres of land, except that under special circumstances, when the area of the proposed village contains a relatively thickly settled population, although less than 300 persons, the Governor-in-Council may provide for its incorporation under the Act.
- (IV) Police District - Special legislation is required for each district.

NEW BRUNSWICK - Concluded

- (V) Municipality and Municipal Corporation - For the purposes of certain acts there is a distinction which has been definitely stated as for instance, in the case of the Municipal Debentures Act which defines a Municipality as "a city, town, incorporated village and municipality" or county unit, and a Municipal Corporation as "a county, city, town, parish, incorporated village, school district and the inhabitants of a defined area within the Province, incorporated for the purpose of providing water, fire protection, light, power, streets, sidewalks, or other like utilities within such area". These latter municipal corporations are incorporated under Special Acts and constitute a Commission governed by a board of commissioners. In some instances, two or more commissions and a school district have been set up within the same area which might well have been incorporated as a village or town.
- (VI) Town School Board - Many incorporated towns have no town board of school trustees and in these cases the school district includes the town but the town has not taken advantage of the Schools Act allowing the district to be classified as a town board. Hence there is overlapping of government in these areas. In some few cases also the school accounts are carried on the town books and have not been classified separately.
- (VII) Special Acts - Villages and towns may also be erected under Special Acts if they have not the statutory requirements of the Villages Act or Towns Act, respectively.

QUEBEC

- (I) City and Town - "R.S. 1925" c. 102 - The Lieutenant-Governor-in-Council may, by letters patent and in accordance with the formalities hereinafter prescribed, erect the territory of a village municipality into a town municipality, if it contains at least 2,000 souls, and the territory of a village or town municipality, if it contains at least 6,000 souls, into a city municipality.
- (II) Village - "Municipal Code 1916", art. 37 - Any territory, in order to be erected into a village municipality, must contain at least 40 inhabited houses within a space of 60 superficial arpents and the taxable immoveable property in such territory must have a value, according to the valuation roll in force, of at least \$50,000.
- (Nevertheless, in the case of a territory not already forming part of a city, town, village or parish municipality, and situated within 3 miles of the National Transcontinental Railway, it is sufficient for the application to be signed by at least 25 proprietors of immoveable property in such territory).
- (III) Rural Municipality - "Municipal Code 1916", art. 16, sec. 2 - The terms "rural municipality" or "county municipality" include and mean parish municipalities, municipalities of part of a parish, of a township, of part of a township, of united townships and generally every local municipality other than town or village municipalities.

QUEBEC - Concluded

- (IV) County Council - "Municipal Code 1916", art. 88 - The county council is composed of the mayors in office, of all the local municipalities in the county which are subject to the provisions of this code.
- (V) Special Acts - Communities unable to satisfy the statutory requirements of the Municipal Code or the Cities and Towns Act, may be erected into villages, towns and cities by Special Act.

ONTARIO

The province of Ontario is divided into districts and counties. The northern part of the province is divided into 11 districts while the southern part is divided into 43 counties. Counties possess both municipal and judicial powers while Districts are merely territorial divisions of the more sparsely settled northern sections of the Province for judicial purposes only and do not possess the powers or represent municipal units for any purpose. Assessment and taxation in these Districts are under the complete control and jurisdiction of the Province. There are however taxes paid by residents of these areas for school purposes.

Local government agencies or units in Ontario may be classified as municipalities and local boards.

- A. Municipalities - Although the Municipal Act requires new municipalities that are created under that Act to have a certain area and a certain population before incorporation is granted, the area and population of many existing municipalities vary from those standards. The statutory definition of a "municipality" is "a locality, the inhabitants of which are incorporated".
- (I) City - Incorporated by Ontario Municipal Board: (R.S.O. 1937, c. 266, s. 19). The minimum population required is 15,000 but there is no area specified. Cities have the power to levy taxes.
- (II) Town - Incorporated by Ontario Municipal Board: (R.S.O. 1937, c. 266, s. 18, 19). Minimum population of 2,000 if in a county but 500, if in unorganized territory: The maximum area is 500 acres for the first 1,000 population or less if in a county, but 200 acres or fraction may be added for each additional 1,000 population or fraction thereof; 750 acres if in unorganized territory and population is 500, but 300 acres or fraction may be added for each additional 500 population or fraction thereof. Towns have the power to levy taxes.

An addition shall not be made to any town which will have the effect of increasing its area beyond the prescribed limit.

Land occupied by highways, parks and public squares and land covered by water shall be excluded in determining the area.

- (III) Village - If in a county, incorporated by by-law of county council: (R.S.O. 1937, c. 266, s. 11, 12). The minimum population is 751 and the maximum area is 500 acres if the population is 1,000 or less, but 200 acres or fraction may be added for each additional 1,000 population or fraction thereof. Villages have the power to levy taxes. Villages in "Districts"

ONTARIO - Continued

are created by a Special Act of the Legislature and there does not appear to be any special requirements as to area and population.

An addition shall not be made to any village which will have the effect of increasing its area beyond the prescribed limit.

Land occupied by highways, parks and public squares or covered by water is excluded in determining the area.

- (IV) Police Village - See "Local Boards - Board of Trustees of a Police Village".
- (V) Township - If in a county, townships may be amalgamated (R.S.O. 1937, c. 266, s. 23 as amended in 1939); if in unorganized territory, townships or union of townships may be incorporated by District Judge (R.S.O. 1937, c. 266, s. 24, 27). The minimum population in unorganized territory is 100 and the maximum area in unsurveyed territory is 20,000 acres. Townships have the power to levy taxes.
- (VI) County - Incorporated by statute: (R.S.O. 1937, c. 3 and c. 266). The population is not specified but the area is fixed by statute. A county comprises towns, villages and townships and has the power to levy taxes on constituent local municipalities. The Members of the county council are the reeves and deputy reeves (where there are such) of the towns, villages and townships. The main functions of county councils are with respect to main highways, bridges, secondary education and administration of justice.
- (VII) Special Acts - Localities which do not qualify as to population and area under the Municipal Act may be erected into villages, towns and cities by Special Act of the Provincial Legislature.
- (VIII) Provincially appointed Commission - Commissions, such as the Burlington Beach Commission, Long Point Park Commission and Presqu'ile Park Commission etc. are incorporated by statute and have power to levy taxes.
- B. Local Boards -
1. Board of trustees of a police village - If in a county established by county council or Ontario Municipal Board (R.S.O. 1937, c. 266, s. 526); if in a township that is outside a county, established by the Ontario Municipal Board (s. 529). Trustees may be incorporated if population of 500 or more (s. 553). The minimum population required is 150 and the maximum area 500 acres, but the area may be increased by 20 acres for each additional 100 population over 500. The Board has no power to levy taxes. Requisite funds are provided by the township.
 2. Board of trustees of a public school - The Board has the power to levy and collect taxes, to incur debt and issue debentures where the public school "section" is in unorganized or unsurveyed territory, and is not within the limits of a municipality. The area of a school section in an unorganized township is limited to a length or breadth not exceeding five miles. There does not appear to be any restrictions, however, as to the size of school sections formed in unsurveyed areas. The population is not specified. In organized municipalities the making of the assessment and the levying and collection of taxes for and on behalf of the local school boards is carried on by the municipality.

ONTARIO - Concluded

3. Board of trustees of a separate school - The Board has the power to levy taxes, but the taxes may be collected by the municipality.
4. Board of road commissioners - Under the Statute Labour Act (R.S.O. 1937, c. 274), the Board has the power to levy taxes in unincorporated townships.

MANITOBA

The Municipal Act, R.S.M. 1940, c. 141: It brings all incorporated rural municipalities, villages, towns and cities, except Winnipeg and St. Boniface within its scope and provides as follows:

- (I) City - A town containing over 10,000 inhabitants may be erected into a city by proclamation of the Lieutenant-Governor-in-Council. The four cities in Manitoba at present however are each incorporated by Special Act.
- (II) Town - When a locality contains over 1,500 inhabitants, the Lieutenant-Governor-in-Council, upon petition of no fewer than 150 householders, may, by charter or letters patent, incorporate the inhabitants of such locality as a town corporation. No town incorporated after the passing of "The Municipal Act", the population of which does not exceed 2,000, shall occupy an area of more than 640 acres. If the population exceeds 2,000 the limits may be increased in the proportion of 160 acres for every additional 1,000 inhabitants. Public parks are excluded in calculating area.

Subject to the restrictions provided in "The Municipal Act" as to area the Lieutenant-Governor-in-Council, by proclamation may include in a town or city such portions of any municipality or municipalities adjacent thereto as the Lieutenant-Governor-in-Council considers it desirable to attach thereto.

When a village contains over 1,500 inhabitants it may be erected into a town by proclamation of the Lieutenant-Governor-in-Council.

- (III) Village - When a locality contains over 500 inhabitants, and when the residences of such inhabitants are sufficiently close together to form an incorporated village, the Lieutenant-Governor-in-Council, upon petition of no fewer than 75 householders, may, by letters patent, incorporate the inhabitants of such locality as a village corporation. No village so incorporated shall occupy an area of more than 640 acres, unless its population exceeds 2,000 and then 160 acres may be added for every additional 1,000 inhabitants over the first 2,000.

The Lieutenant-Governor, upon petition and subject to the provisions of "The Municipal Act", may, by proclamation, add to the village any part of the localities adjacent which, from the proximity of the streets, or buildings therein, or the probable future exigencies of the village it may seem desirable to add thereto.

MANITOBA - Continued

The Lieutenant-Governor-in-Council may, on petition of the owners of any lands included in a village or town, where the outstanding obligations and debts do not exceed three times the amount of the proceeds of the yearly rate then last levied and collected therein, by proclamation reduce the area of such village or town by excluding from it land used wholly for farming purposes and including the lands in an adjacent municipality.

- (IV) Rural Municipality - Incorporated under and by "The Municipal Boundaries Act", R.S.M. 1940, c. 143, subject to the provisions of "The Municipal Act".

In Manitoba there are a number of urban areas, in some cases having sufficient population to qualify for erection into a village, which are not incorporated as such but have assumed the name of an adjacent railway station or post office, but which actually are part of the rural municipality in which they are located. Where such an area has the population of not fewer than 150 and an area of not more than 500 acres, the rural municipality, by by-law, may erect the locality into an unincorporated village district. Certain jurisdiction is then given to an elected committee of the unincorporated village district as regards the expenditure of its share of municipal revenue, but the committee must make an annual return to the rural municipality in which it is located as to the receipts and expenditures of the village committee and these statements are audited as part of the accounts of the rural municipality.

- (V) Municipal District - Upon petition from 50 per centum of the householders in a locality, the Lieutenant-Governor-in-Council may incorporate the inhabitants of any locality, which is not included within the limits of a municipality, as a municipal district with the powers, rights and privileges provided in the letters patent and in "The Municipal Act".
- (VI) Special Acts - Localities which do not qualify under the foregoing provisions of "The Municipal Act" or "The Municipal Boundaries Act", or if they desire special powers or privileges, may be incorporated by Special Act of the Legislature.

(VII) School Districts -

(a) Cities, Towns and Villages. Where the boundaries of a city, town or village are coterminous, or nearly so, with those of the school district, it is classed as a city, town, or village. Such districts will be formed, however, by the Council or by arbitration as in the case of such districts union with rural areas.

(b) Rural School District. This type of school district is set up by the Council of the Municipality in which the district lies. The action is usually begun through a petition of the interested electors. The Council of the Municipality passes a by-law incorporating the school district.

In case a proposed district lies in two Municipalities, each Municipality names an arbitrator. These two appoint a third. The Inspector of Schools acts as the Secretary and their finding is binding upon the Municipalities concerned.

MANITOBA - Concluded

Rural School Districts shall not include more than twenty square miles exclusive for public roads and no district can be formed unless there are at least ten children of school age living within the area to be included. Certain provisions are made for a larger area where the configuration of the land does not permit certain lands to be added to other districts.

- (c) Municipal School Districts. These are of two classifications: (a) those which are Municipal by definition, namely those whose boundaries are coterminous with those of the Municipality; (b) those formed by a by-law of the Municipality. Every Municipality has power to form a school district comprising all of the lands from such a Municipality save such lands as are comprised of any union school district, and to establish a Board of Trustees, therefor, if a majority of the electors vote on such an appeal, vote in favour thereof.
- (d) Consolidated District. A school district may be created without any limitation as to area if the Council provides in the by-law that the Trustees shall provide for the transportation of pupils who have farther than one mile to walk. One hundred districts in the Province of Manitoba have an area of over twenty square miles. For the most part these have been formed by bringing together a number of smaller districts.
- (e) Districts Formed by the Lieutenant-Governor-in-Council. Such districts may be large units in unorganized territory, comprising several ordinary rural school districts, or it may be within the bounds of the twenty square miles which is the limitation placed on school districts in Municipalities.

The Lieutenant-Governor-in-Council may, by order, form a district in any part of the Province or may adjust the boundaries of the existing districts.

SASKATCHEWAN

- (I) City - The minimum population required is 5,000 persons, with no limit as to size of subdivided area. There is an elected Council consisting of a mayor and an even number of aldermen not less than 6 and not more than 20. The ratepayers decide the number to be elected.

The Council extends certain services to their ratepayers such as roads, bridges, drainage and other public works, protection of property and person, conservation of health and sanitation, poor relief, hospital and medical treatment to indigents etc. Debenture debts are limited to 20% of the taxable assessment excluding debentures for secondary schools, street railways, light and power plants when sanctioned by the proper department of the provincial government and the proportion of a debenture repayable by local improvement taxes. There is no limit to tax rates imposed. Only cities and towns may issue debentures on a sinking fund plan. Mental hospitals, courts and sheriffs' offices, gaols and houses of correction, Old Folks' homes, tuberculosis sanatoria, cancer clinics and Land Titles offices are under the control of the provincial government.

- (II) Town - The minimum population required is 500 persons with no limit as to the size of subdivided area. There is an elected council of 7 members consisting of a mayor and 6 councillors, one of the latter to be selected as deputy-mayor. A town has practically the same general powers as a city but on a smaller scale.

SASKATCHEWAN - Continued

It can levy local improvement taxes to repay all or part of the cost of such improvements. It has no power to float temporary loans for schools. Debenture debts are limited to 15% of the taxable assessment excluding debentures for secondary schools and the proportion of debentures repayable by local improvement taxes. There is no limit to the tax rate.

(III) Village - The minimum population required is 100 persons with a subdivided area not to exceed 240 acres. There is an elected Council of three members one of whom is selected as Overseer. Villages levy and collect taxes for their own use and also for schools, hospital districts and the provincial government. They extend certain services to their rate-payers on a lesser scale than that of cities and towns and have the power to create temporary loans for school purposes. Debenture debts are limited to 10% of the taxable assessment and the general tax rate, excluding debenture rate, must not exceed 20 mills.

(IV) Hamlet - There are no requirements as to population, and the area is subdivided to include small portions of farm lands used as sites for businesses or some similar purpose other than agricultural. There is no form of local self-government and the needs of the hamlet are attended to by the council of the rural municipality in which it is situated.

(V) Rural Municipality - There are no requirements as to population and the area is usually 324 square miles. A rural municipality is governed by a Council consisting of a reeve and six councillors who are elected by the people. One of the councillors is selected as deputy-reeve. It imposes and collects taxes for the use of the municipality as well as for schools, telephone companies, hospital districts, hail insurance for grain crops and for the provincial government. It also extends the following services to its ratepayers:- roads, bridges, drainage and other public works; protection of property and person; conservation of health and sanitation; poor relief, hospital and medical treatment of indigents; and advances for agricultural aid. The council of the rural municipality also attends to the needs of the hamlets within its boundaries with particular emphasis on such matters as sidewalks and streets, police protection, water supply, fire protection and electric light. A rural municipality has the power to borrow on the security of school and telephone taxes from which to make advances to schools and telephone companies against tax collections. Debenture debts are limited to 13 cents per assessed acre and the general tax rate, excluding debenture rate, must not exceed 15 mills.

(VI) Local Improvement District - There is no limit as to population and the area is usually 324 square miles.

There is no local self-government except in the matter of educational services and for this purpose school districts are formed as separate units within the Local Improvement District. The Department of Municipal Affairs carries out the assessment and taxation, collects taxes through field men and through the same agency provides such services to the residents as roads, bridges and other public works; medical and hospital attention for indigents; relief to the needy including seed grain

SASKATCHEWAN - Concluded.

advances where necessary; and general control of insect pests and animal diseases. The Minister of Municipal Affairs acts as a trustee.

- (VII) School District - School districts may be erected within municipalities or partly within a municipality and partly within unorganized area; or they may be wholly within an unorganized area. The boundaries of a school district are rarely co-terminous with those of any municipality as even in urban municipalities the school district will extend beyond into the rural area. There must be 10 children of school age and the area is usually 20 square miles in rural areas but it varies in urban areas. School Districts issue their own debentures except secondary and technical schools whose debentures are issued by and become a liability of the municipality. Schools wholly or partly in unorganized areas imposed and collected their own taxes on lands in such areas but this is rapidly being taken over by the Department of Municipal Affairs and collections returned to each district. Rural and village school districts have no power to borrow in advance of tax collections to meet operating expenses. They are financed by advances from such municipalities who later recoup themselves from school tax collections. Town and city school districts enjoy borrowing powers. Secondary and Technical schools repay to the municipality the annual debenture charges met by the latter. The principal function of a school district is to provide educational facilities within its boundaries and the cost is met by grants from the province and taxes imposed by municipalities at the request of the school district.

In rural and village districts there is an elective board of 3 members. In towns or cities below 10,000 population school boards consist of 5 members and where the population is over 10,000 the number of members is 7.

- (VIII) Rural Telephone Company - There are no requirements as to population and the area comprises only the pole-line. There is no limit as to the number of miles covered. A rural telephone company is a joint stock company with an elective board of directors, usually numbering from 5 to 7 members. The company provides telephone service in rural areas, issues its own debentures for pole line and apparatus and the debentures are repaid by a flat tax per parcel on lands adjoining pole line. Special taxes are imposed in the same manner to meet part or all operating costs. Both taxes are imposed by the municipality at the request of the telephone company with the municipality making advances to the company against tax collections.

- (IX) Union Hospital District - There are no requirements as to population and the area of the district varies. It includes one or more rural or urban municipalities or portions of such. A Hospital Board is appointed consisting of 1 to 3 representatives from each municipality wholly or partly in the district and representation is based on total taxable assessment of representative municipalities. They construct, equip, and operate a hospital and issue their own debentures for buildings and equipment. Municipalities forming the district contribute by special tax levy towards the operating deficit and retirement of debentures, contributions being on a predetermined basis.

ALBERTA

- (I) City - Special legislation is required for the erection of each city. The population requirements are 2,500 in practice but neither area nor population is specified in the Statutes.
- (II) Town - There is no limit of area specified in the Town and Village Act. The population requirements are 700 in practice and the area at incorporation is that of the original village plus any adjoining land on which there is one occupied dwelling or place of business for every five acres.
- (III) Village - A village must contain 35 separate and occupied dwellings but there is no limit of area specified. The Town and Village Act requires each dwelling to have been occupied continuously for a period of at least one month.
- (IV) Municipality (General) - A municipality is a locality the inhabitants of which are incorporated. Areas not incorporated as municipalities are termed "Improvement Districts" and "Special Districts".
- (V) District Municipality - There are no restrictions as to the number of residents and the area is not specified in the statutes. In practice, however, the area is usually 9 townships.
- (VI) School District (Public) - Any portion of the Province of Alberta may be established as a public school district provided that (a) the area does not exceed four miles in length or in breadth exclusive of road allowances; (b) it contains four persons actually resident therein who on the establishment of the district would be liable to assessment and eight children not younger than five nor older than sixteen years of age.

BRITISH COLUMBIA

- (I) City - (Municipalities Incorporation Act, R.S.B.C. 1936, c. 202 - City Municipality).
The Lieutenant-Governor-in-Council, by letters patent, may upon receiving a petition signed by the owners of more than one-half of the assessed value of land to be included within the limits of the municipality if incorporated, incorporate any locality in the Province that has no direct debenture indebtedness into a city municipality where the area does not exceed 2,000 acres and in which there are resident one hundred male British Subjects of the full age of twenty-one years.
Vancouver City was incorporated by Statute and operates under the provisions of the "Vancouver Incorporation Act, 1921" and amendments. This is the only incorporated area in British Columbia not operating under the provisions of the "Municipal Act", or the "Village Municipalities Act."
- (II) Town - There is no Act which provides for the creation of towns as governmental units.
- (III) Village - (Village Municipalities Act, R.S.B.C. 1936, c.203). The Lieutenant-Governor-in-Council, by letters patent, may upon receiving a petition conforming to the requirements of the Act, incorporate the inhabitants of

BRITISH COLUMBIA - Concluded.

any area which is not included within the limits of any municipality a body corporate as a village municipality.

(IV) District - (Municipalities Incorporation Act, R.S.B.C. 1936, c. 202 - District Municipality). The Lieutenant-Governor-in-Council, by letters patent, may upon receiving a petition signed by the owners of more than one-half of the assessed value of land to be included within the limits of the municipality if incorporated, incorporate any locality in the Province not already incorporated as a municipality and within which boundaries there are resident thirty male British Subjects of the full age of twenty-one years.

(V) Township - There is no Act which provides for the creation of townships as governmental units. In several instances however, on incorporation the word "Township" was used synonymously with "District".

(VI) Special Acts - Localities have been incorporated by Statute but operate under the general provisions of the "Municipal Act."

STATISTICS CANADA LIBRARY
BIBLIOTHÈQUE STATISTIQUE CANADA



1010488728