

POLICY		No.	2022-001
R.M. of Leask No. 464 <small>TITLE:</small> Division Boundary Review	COUNCIL APPROVAL DATE:		December 14, 2022
	RESOLUTION NO.:		362/22
	SUPERSEDES POLICY NO.:		
	NEXT REVIEW DATE:		December, 2027
	LAST REVIEW DATE:		

1.0 PURPOSE

1.1 The purpose of this Policy is to establish a manner in which Council will review the division boundaries of the Rural Municipality of Leask No. 464 (RM).

2.0 DEPARTMENT(S) AFFECTED (SCOPE)

2.1 Department(s) Affected: **General Government Administration**

3.0 POLICY

3.1 Policy Principles:

A rural municipal Council may review the divisions of the rural municipality on its own initiative at any time and for any reason. Section 49.1 of *The Municipalities Act* enacts that Council shall establish a policy setting out the manner in which it will review the divisions of the municipality for the purpose of providing that each division of the RM has, as nearly as is reasonably practicable, the same population or number of voters.

4.0 RESPONSIBILITIES

- 4.1 The Administrator is responsible for ensuring compliance with this policy.
- 4.2 Council shall review the policy every five (5) years coinciding with Federal Census for the effectiveness of the policy in relation to its governance structure.

5.0 IMPLEMENTATION - PROCEDURE

- 5.1 In undertaking these responsibilities:
 1. Council of the RM will establish a Council Committee or other body to undertake the review.

The Council Committee shall be composed of the Reeve and two (2) Councillors. The Administrator shall attend committee meetings to record the meeting and provide recommendation and guidance relating to the *The Municipalities Act*. Council appointed members will receive regular remuneration for time spent.

If Council feels it necessary, by Council resolution, a contract may be issued through a competitive process for a qualified independent body to conduct the review. At which time Council will approve a budget for costs.

2. A review of division boundaries may be triggered by the following:
 - a. an order by the Minister;
 - b. by resolution of Council;
 - c. petition of ratepayers as presented, in accordance to the *The Municipalities Act*, requesting for a review;
 - d. Federal Census;
 - e. If during a General or By-election, in accordance with the *Election Act, 1996*, no candidate has been nominated in a division; or
 - f. potential future growth or depopulation.

This review may not be held during the six months prior to an election in the municipality.

3. Factors to be considered when completing the review may include, but not limited to:
 - a. Representation by Population
 - i. population density;
 - ii. acceptable range of population variance will not exceed +/-10% unless it can be justified as a way to meet one of the other criteria.
 - b. Representation by Electorate
 - i. boundaries will be designed as to maintain equitable parity of voting power;
 - ii. non-resident electors will be considered in the determination of population in the divisions; and
 - iii. acceptable range of electorate variance will not exceed +/-10% unless it can be justified as a way to meet one of the other criteria.
 - c. Representation of Communities of Interest
 - i. boundaries will be composed of plausible groupings of communities and established settlements.
 - d. Geographical and Topographical Features
 - i. the boundaries used to delineate divisions should be straightforward and easily recognizable; and
 - ii. boundaries will be contiguous in shape and as compact as possible.

4. Review Process

Upon the initiation of the review which will be done by resolution of Council at the regular meeting immediately after receiving the petition, or Ministerial order, the committee will complete the review in a four (4) month time frame from that regular meeting date. An extension of two (2) months may be granted by resolution of Council.

The Council Committee or qualified independent body must provide a minimum of three (3) proposals of boundary divisions for Council consideration.

The initial report shall be presented to council at a regular meeting of Council. At that meeting, Council shall set a date for public hearing. This public hearing will be advertised in a paper circulating in the municipality as well as posted in the RM office and any other means deemed necessary by council, giving at least fourteen (14) days clear notice for the hearing.

Once public hearing is complete, the committee will consider recommendations made and bring forth the revised report to the next regular meeting of Council. At that time, a decision will be made regarding the application to the Ministry to alter division boundaries.

5. The Minister’s Order will take effect:
 - a. if the application is made one hundred and eighty (180) days or more before a general election, with respect to that general election and all subsequent general elections and by-election held in the Municipality; or
 - b. if the application is made less than one hundred and eighty (180) days before a general election, with respect to all general elections and by-elections commencing with the second general election after the report is filed.
6. If required by the regulations, council shall apply to the Minister to alter division boundaries in accordance with Section 49 of *The Municipalities Act*.
7. The Lieutenant Governor may make regulations respecting:
 - a. the number of members to be elected;
 - b. the manner and means of determining population or number of voters;
 - c. the minimum frequency of reviews;
 - d. any requirements for the purposes of subsection 5.0.6.

6.0 DOCUMENT APPROVAL

ROLE	POSITION	NAME OF THE APPROVER	DATE APPROVED
Author	Administrator	RM Council	December 13, 2022
Owner	Administrator	Valerie Fendelet	December 13, 2022
Final Approver	RM Council	Resolution: #362/22	December 14, 2022

7.0 REVISION HISTORY

EFFECTIVE DATE	REVISION LETTER	DOCUMENT AUTHOR	DESCRIPTION OF CHANGE
12/14/2022	A	Valerie Fendelet	Initial release