

# ***Municipal Affairs Statutes Amendment Act, 2025***

Bill 50: the *Municipal Affairs Statutes Amendment Act, 2025*, introduces updates to modernize municipal processes, improve election accessibility, enhance local governance, and strengthen homebuyer protections. The bill proposes amendments to the *Local Authorities Election Act*, the *Municipal Government Act*, and the *New Home Buyer Protection Act*, with consequential amendments to the *Safety Codes Act*.

## **Local Elections – Changes to the *Local Authorities Election Act (LAEA)***

### **Amendments to Local Election Rules:**

- **Improving voter accessibility:** Enabling elector assistance terminals in local elections empowers voters with disabilities to mark their ballots independently and privately. These terminals do not count ballots, are not connected to the Internet, and print out a paper ballot as required by Alberta law.
- **Updating local political party campaign finance rules:** Allowing registered local political parties in Calgary and Edmonton to transfer funds among their endorsed candidates. Local political parties will largely follow the same rules and disclosure requirements for transfers as provincial political parties. The updates also clarify the definitions of “campaign expense” and “contribution” to improve transparency and consistency in reporting. Finally, the updates will also increase transparency by requiring local political parties to disclose financial records in September 2025, prior to the October election.
- **Clarifying election rules:** Distinguishing between recounts ordered directly by returning officers and recounts requested by runner-up candidates whose vote totals are within 0.5 per cent of all ballots cast. Simplifying the withdrawal process for municipal candidates by clarifying they have 24 hours after nominations close to withdraw from an election, for any reason.
- **Protecting voter rights in Municipality of Jasper:** Special provisions ensure residents displaced by wildfires maintain eligibility to vote and run in Jasper’s local elections, provided they plan to continue residing in the municipality.

## **Municipal Governance – Changes to the *Municipal Government Act (MGA)***

### **Amendments to Municipal Councils, Administration, and Operations:**

- **Ending political misuse of codes of conduct:** Prohibiting municipal councils from creating and adopting codes of conduct prevents abuse of these tools to silence dissent or bully council members. Councils cannot make a bylaw or resolution that addresses councillor conduct or behaviour. Any current complaint or sanction against a councillor under a code of conduct bylaw or resolution is terminated.
  - **Next steps:** Municipal Affairs will consult with stakeholders to establish consistent, standard council meeting procedures and explore options for a municipal ethics commissioner to address councillor accountability and ethics issues.
- **Promoting Chief Administrative Officer (CAO) effectiveness:** Municipalities must appoint only one CAO. Councils cannot pass bylaws altering the majority requirement needed to appoint, suspend, or revoke a CAO’s appointment. Additionally, CAOs must report the use of natural person powers to council in writing within 72 hours of exercising those powers and must provide information requested by council members.
- **Strengthening Official Administrators (OAs):** Strengthening oversight in the rare cases where OAs are appointed by requiring councils to notify OAs of all regularly scheduled or special council meetings. OAs can attend all closed meetings except those involving legal privilege. OAs can direct municipalities to provide records (subject to legal privilege) within specified timeframes, and must authorize all agreements, cheques, or financial instruments of the municipality or council.
- **Improving administrative transparency:** CAOs must share information to council members as soon as is practical upon request. If information is not shared due to personal privacy or confidentiality reasons, these reasons for not sharing must be provided to all councillors. Information must be provided to all other councillors within 72 hours of the information being provided to the councillor.

- **Adding regulatory powers:** The Lieutenant Governor in Council has regulation making authority to define “public interest” and “policy of government” to address rare situations requiring provincial intervention to order a vote of electors to remove a councillor or repeal a municipal bylaw.

#### **Amendments to Intermunicipal Collaboration Frameworks (ICFs):**

- **Establishing mandatory services:** An ICF must address a list of mandatory services comprising transportation, water and wastewater, solid waste, emergency services, and recreation. Municipalities may mutually agree to include additional services, excluding some types of third-party services such as libraries and police services. Additional services are not subject to arbitration.
- **Creating flexible frameworks for rural communities:** Adjacent municipal districts may mutually agree to opt out of an ICF by passing a resolution stating that intermunicipal services are adequately provided through other means. Reasons for opting out must be published on their websites. This agreement may be revoked by either municipal district with written notice.
- **Increasing fairness of cost-sharing rules in intermunicipal agreements:** Capital costs for new facilities providing mandatory services may only be included in an ICF if all municipalities involved have previously agreed to and participated in the facility's design and construction decisions.
- **Enhancing information transparency:** Each municipality in an ICF must disclose to other municipalities any information, data, and assumptions used in developing its cost-calculation proposals.
- **Clarifying definitions:**
  - **Costs of intermunicipal services:** Defined as operating, capital, and other non-operating costs necessary to deliver services.
  - **Third-party services:** Defined as services provided by an independent third-party service provider, which is the sole authorized provider authorized under an enactment to provide the service.
  - **Act in good faith:** Defined as acting honestly, respectfully, reasonably, communicating appropriately, sharing necessary information, meeting through authorized representatives, and being prepared to discuss all issues and explain all rationale.
- **Strengthening arbitration in intermunicipal disputes:**
  - An arbitrator must prepare an ICF based strictly on the arbitrator's award in a dispute, and the relevant municipalities must adopt that framework. The arbitrator cannot alter matters already agreed upon or previously undiscussed items in the new framework.
  - An arbitrator must submit a finalized ICF to municipalities within 30 days after their decision and provide a copy of both the award and the framework to the Minister within the same timeframe.
  - Municipalities must adopt the arbitrated ICF within 60 days of receipt.
- **Improving Ministerial oversight and authority:**
  - If a municipality fails to comply with an arbitration award or does not adopt a mandated framework, the Minister of Municipal Affairs may issue orders enforcing compliance.
  - The Minister of Municipal Affairs can require municipalities to pay their proportionate share of arbitration fees. Non-compliance may result in enforcement actions, including withholding grants.
  - The Minister of Municipal Affairs may enact regulations or orders to implement ICFs resulting from arbitration, including regulations regarding the inclusion of capital costs.

ICFs are mandatory formal agreements between neighbouring municipalities designed to ensure coordinated delivery of shared services and infrastructure. They are crucial to fostering effective regional cooperation and cost-sharing.

## Homebuyer Protections – Changes to the *New Home Buyer Protection Act (NHBPA)* and *Safety Codes Act (SCA)*

### Amendments to Homebuyer Protections:

- **Streamlining owner-builder processes:** Simplified digital confirmation replaces notarized statutory declarations for owner-builders, expediting approvals and home construction.
- **Protecting future homebuyers:** Ensuring greater transparency when a home is built without mandatory warranty coverage. If a home is authorized to proceed without warranty, a notice (caveat) will be placed on the home's title to inform potential buyers. This notice will be automatically removed by the department once the home meets warranty requirements or the protection period expires.
- **Expanding exemptions for home sales:** The grounds for exemption include financial hardship, in addition to undue hardship, with provisions allowing for regulations on the discharge of caveats.
- **Restoring appeal rights:** Reintroduces fair appeal processes for homebuyer-related decisions through the Land and Property Rights Tribunal, ensuring homebuyers can challenge Registrar decisions related to exemptions, definitions, and rental-use designations.
- **Accessing expert-driven guidance:** Expands the Safety Codes Council to include additional appointees who can provide specialized advice on homebuyer protections. This ensures a broader range of expertise is available to support regulatory decisions.
  - The Council is formally responsible for providing advice and recommendations to the Minister on matters covered under the *NHBPA*, when requested, so expert input can help shape future homebuyer protection policies.
- **Strengthening builder licensing and improving warranty dispute resolution:** To be introduced in regulation following further stakeholder engagement.
- **Making administrative amendments:** Several technical updates clarify or extend existing provisions, including:
  - Defining “building permit” as a permit issued under the *Safety Codes Act*.
  - Clarifying that the protection period applies only to homes constructed under a building permit applied for on or after August 1, 2014.
  - Extending the expiry date of the Administrative Penalties Regulation to December 1, 2031.

### Next Steps

If passed, the *Municipal Affairs Statutes Amendment Act, 2025*, will bring changes to the MGA and LAEA into effect upon royal assent, while changes to the *NHBPA* and *SCA* will take effect upon proclamation. Regulations are expected in the coming months.

### Related Information

- [Land and Property Rights Tribunal Homebuyer Appeals](#)
- [Local Authorities Election Act](#)
- [Local Political Party Rules and Campaign Expense Limits](#)
- [Municipal Government Act](#)
- [New Home Buyer Protection Act](#)
- [Safety Codes Act](#)