

CONCLUDING REMARKS

The Panel conclusions are based on careful consideration of the *Municipalities Act Review Advisory Committee Report* (1998), *A Review of Local Service District Legislation Report* (1999) and the input received during the public consultation process.

The Panel acknowledges the quality and thoroughness of the two earlier reports. The many recommendations for change inspired considerable debate and encouraged citizens to reflect on the role and functioning of their local governments.

From the outset of the public hearing process, it was evident to the Panel that citizens of New Brunswick have a genuine and heartfelt interest in the well being of their communities. The extent and quality of the input received was most impressive and provided many meaningful insights to the Panel during our deliberations.

The extensive participation of the general public, special purpose agencies, media, Municipal Councils, Local Service District Advisory Committees, administrative officials and academics served to underscore the importance that the structure and operation of local government has on influencing the quality of life enjoyed by citizens whether in urban or rural communities.

Some participants commented on the recommendations contained in the two earlier reports while others raised separate concerns that they believed should be addressed in order to improve the quality and character of local governance in New Brunswick. As a result, the Panel was able to identify many common themes that emerged during the public hearings.

The thoughtful and considerable input received from residents and representatives of unincorporated areas throughout the Province was particularly noteworthy. The need for a more effective form of governance in the rural areas of the Province dominated any discussion of the proposals for resolving administrative and procedural matters in the Local Service Districts. The presenters made it abundantly clear that the status quo was not considered a viable long-term option for local governance in the rural areas.

The various stakeholder groups (politicians, administrators, media, special interest groups etc.) provided a broad range of perspectives on the various issues confronting urban and rural areas. Many of the proposed changes were widely accepted as appropriate elements in the new legislation. The Panel also heard a variety of points of view on particular issues that were at times divergent and at other times contradictory.

In general, there was a recognized need for increased local autonomy and a willingness to accommodate the responsibilities that come with such change in the interest of improving governance at the community level. Presenters urged that the legislative renewal effort be considered a top priority of government.

Balancing the various interests proved both interesting and challenging for the Panel. Assessing the recommendations and public input in the context of recognized principles of local governance allowed for an objective evaluation of the comments, suggestions and concerns raised during the public hearings.

The Panel report focuses on identifying opportunities for improving local governance in New Brunswick. The Panel recommendations advocate a new Municipalities Act, which will:

- **Use plain language to enhance public understanding of the roles and responsibilities of local government and facilitate implementation of the proposed legislative changes,**
- **Emphasize greater respect for openness and public accountability in the conduct of local government affairs,**
- **Provide increased autonomy and flexibility for municipalities to deal with local matters and,**
- **Establish a new governance model for rural unincorporated areas.**

It has been stated that government exists to serve the people and can govern only with the consent of the people. The Panel offers a gentle reminder to citizens of their civic responsibilities in the good governance of their communities. Legislative provisions that provide for greater openness in the affairs of government, better access to information, enhanced accountability to the electorate and increased local autonomy are of little value if citizens choose not to be involved in the governance of their communities.

Seeking office is not the only means of taking part in local government. Participating in debates on matters of local concern, voicing opinions on these and other matters to councillors or Council, taking the time to observe the proceedings of Council meetings and challenging or praising the actions of councillors or Council are but a few of the opportunities available to help ensure community leaders are truly responsive to local needs and priorities. Ultimately of course, citizens can express their satisfaction or dissatisfaction with the policies and performance of those elected by exercising their democratic right to vote.

As with any major legislative revision, it is inevitable that questions or disputes will arise on how to address particular issues that were or were not considered in

the various reports. It is also likely that, once implemented, the practicality of certain legislative provisions will be challenged.

Clearly, such questions should be considered legitimate aspects of the legislative renewal. The Panel believes that government must, first and foremost, seek the best interests of the public and not simply administrative convenience or political comfort when responding to these concerns.

The Panel concluded that the best interests of citizens must be the primary consideration when developing the provisions of the new Municipalities Act.

Significant changes are required if a new Municipalities Act is to respond to the broad range of issues raised by the various stakeholders. The Panel hopes that a collective effort at legislative renewal based on a collegial approach will find an attentive ear among decision-makers and provide the people of New Brunswick with a new and progressive Municipalities Act worthy of entry into the new millennium.

Appendices

APPENDIX 1

MUNICIPALITIES ACT REVIEW PUBLIC HEARING LOCATIONS

Item	Location	Area	Date
1.	Dieppe (T)	Southeast	April 20
2.	Richibucto	East	April 21
3.	Caraquet	Peninsula	April 22
4.	Woodstock	Central/West	April 27
5.	Fredericton (T)	Central	April 28
6.	St. Stephen	Southwest	April 29
7.	Saint John (T)	South	May 4
8.	Sussex	South/Central	May 5
9.	Sackville	Southeast	May 6
10.	Bathurst (T)	Northeast	May 11
11.	Pokemouche	Peninsula	May 12
12.	Miramichi (T)	Central/East	May 13
13.	Atholville (T)	North	May 18
14.	Edmundston (T)	Northwest	May 19
15.	Perth Andover	Northwest	May 20
16.	Moncton (T)	Associations	May 25
17.	Shediac	Ville De Shediac	June 10

(T) - Indicates simultaneous translation available

APPENDIX 2

WRITTEN SUBMISSIONS TO REVIEW PANEL

	SOURCE	PRESENTER(S)	DATE
1.	SHEDIAC CAPE LSD	ART BUCK	04/20/99
2.	VILLAGE DE CAP PELE (2)	MICHEL MELANSON	04/21/99
3.	PO BOX 6446, SAINT JOHN	MAIL	04/23/99
4.	TOWN OF OROMOCTO	MAIL	04/23/99
5.	TOWN OF QUISPAMIS	MAIL	04/23/99
6.	VILLAGE OF McAdam	MAIL	04/23/99
7.	SOUTHAMPTON LSD	MAIL	04/27/99
8.	RUSAGONIS-WAASIS	JACKIE PHILLIPS	04/28/99
9.	HAMPSTEAD LSD	CONNIE DENBY	04/28/99
10.	ESTEYS BRIDGE LSD	ALVIN ASHFIELD	04/28/99
11.	CITY OF FREDERICTON	L. HULL, T. JELLINEK, J. BLAKELY	04/28/99
12.	CITIZEN - POCOLOGAN LSD	J. A. BAIRD	04/29/99
13.	CHARLES MONAGHAN	MAIL	05/29/99
14.	WEST ISLES LSD	JOYCE STUART	04/29/99
15.	LEPREAU - LSD	GORDON BAIRD	04/29/99
16.	TOWN OF ST. STEPHEN	ALLAN GILMOR	04/29/99
17.	CITY OF SAINT JOHN	SHIRLEY McALARY TERRY TOTTEN	05/04/99
18.	IMPERIAL THEATRE	MICHAEL WENNBERG BRIAN REID	05/04/99
19.	TELEGRAPH JOURNAL	C. RYAN, R. LINK	05/04/99
20.	GREENWICH LSD	E-MAIL	05/07/99
21.	WESTFIELD LSD	FAX/MAIL	05/07/99
22.	CITY OF BATHURST	GRAHAM WISEMAN ANDRE DOUCET TRACEY BRANCH	06/07/99
23.	BERESFORD, NIGADOO PETIT-ROCHER, POINTE-VERTE	DONALD HAMMOND GILBERTE BOUDREAU	05/11/99
24.	CITY OF MIRAMICHI	PAUL DAWSON DANIEL B. ALLEN JOHN FOLEY DON ALLISON	05/13/99
25.	TOWN OF DALHOUSIE	JAMES BLANCHARD MIKE ALLAIN	05/18/99
26.	CITY OF CAMPBELLTON	ALIDA LEVEILLE-BROWN YVES GAGNON	05/18/99

	SOURCE	PRESENTER(S)	DATE
27.	VILLAGE OF ATHOLVILLE	GEORGES THIBODEAU RAYMOND LEGACE JEANNETTE GOULD	05/18/99
28.	VILLAGE OF TIDE HEAD	ALAN DICKSON GILMORE GLENCROSS	05/18/99
29.	VILLAGE OF EEL RIVER CROSSING	KIM BUJOLD	05/18/99
30.	CITE D'EDMUNDSTON	JACQUES MARTIN ROGER RIOUX MARC MICHAUD	05/19/99
31.	VILLE DE SAINT-LEONARD	ROLAND MARTIN	05/19/99
32.	DOROTHY FIRTH- ROBINSONVILLE	FAX	05/20/99
33.	CAMBRIDGE LSD	FAX	05/20/99
34.	VICTORIA COUNTY RECORD	M. RICKARD, D. HENLEY	05/20/99
35.	VILLAGE OF PERTH ANDOVER	BURPEE WAGNER	05/20/99
36.	ARTHUR WILLIAM LANDRY	MAIL	05/21/99
37.	CITIES OF NB ASSOCIATION	PETER TRITES	05/25/99
38.	L'ASSOCIATION FRANCOPHONE Des MUNICIPALITÉS Du NB Inc.	REGINALD PAULIN LEOPOLD CHIASSON	05/25/99
39.	UNION Of MUNICIPALITIES Of NB	R. MURPHY, Y. GIBB	05/25/99
40.	ASSOCIATION Of MUNICIPAL ADMINISTRATORS Of NB	M. SULLIVAN,P. DOIRON B. KNIGHT	05/25/99
41.	L'AAMNB REGION 7 PENINSULE ACADIENNE	PIERRE DOIRON	05/25/99
42.	VILLE DE CARAQUET	PIERRE DOIRON	05/25/99
43.	CITY OF MONCTON	B. MURPHY, G. LEBLANC B. COOPER, M. SULLIVAN	05/25/99
44.	WENDALL MORRELL	MAIL	05/26/99
45.	DSL VILLAGE-DES-POIRIER	MAIL	05/30/99
46.	DALHOUSIE JUNCTION LSD	FAX	05/31/99
47.	VILLAGE OF FREDERICTON JUNCTION	FAX	05/31/99
48.	DSL SAINT MARTIN de RESTIGOUCHE	FAX	06/02/99
49.	GILBERT BLANCHARD - DSL CHIASSON SAVOIE	FAX	06/09/99
50.	LSD ELGIN PARISH	FAX	06/11/99
51.	MARILYN POWELL	FAX	06/11/99
52.	VILLAGE OF MINTO	FAX	06/11/99
53.	VILLE DE SHEDIAC	HEARING	06/09/99
54.	RECREATION & PARKS ASSOC	E-MAIL	06/07/99
55.	VILLAGE DE SAINT-ANDRE	E-MAIL	06/08/99
56.	TOWN OF ROTHESAY	MAIL	07/26/99
57.	JAMES HAWKES	MAIL	07/12/99
58.	GEORGE M. BETTS PHD	MAIL	08/09/99
59.	EMERY DAIGLE DSL SAINT CHARLES	MAIL	08/09/99

APPENDIX 3

SELECTED EXCERPTS FROM MUNICIPAL LEGISLATION IN OTHER JURISDICTIONS

Note 1 – Example of Plain Language (<i>Footnote 18</i>)	
Definition	258(1) In this section, " economic development " means the establishment, expansion or continuation of a business or industry.
Encouraging economic development	258(2) A council may encourage economic development in any manner it considers appropriate and, for that purpose, may enter into an agreement with a person, with an agency of the government of Manitoba or the Government of Canada, or with another municipality, including a municipality in another province.
Strategic plan	258(3) A council may adopt a strategic plan for economic development in the municipality.
Condition of grant	258(4) A council may make a grant for the purpose of economic development in the municipality, but the grant must not be used to directly or indirectly reduce the amount of municipality or school taxes payable to the municipality or to reimburse a person for municipal or school taxes that are paid or payable to the municipality. s. 258 The Municipal Act, S.M. 1996, c. 58- Chap. M225
Note 2 – Role of Council (<i>Footnote 24</i>)	
Council's role	82 A council is responsible (a) for developing and evaluating the policies and programs of the municipalities; (b) for ensuring that the powers, duties, and functions of the municipality are appropriately carried out; and (c) for carrying out the powers, duties and functions expressly given to the council under this or any other Act.

	s. 82, The Municipal Act S.M. 1996, c. 58
Note 3 – CAO's responsibilities (Footnote 26)	
CAO's responsibilities	<p>127(1) The chief administrative officer</p> <p>(a) is the administrative head of the municipality;</p> <p>(b) is responsible for ensuring that the policies and programs of the municipality are implemented;</p> <p>(c) is responsible for advising and informing the council on the operation and affairs of the municipality;</p> <p>(d) except as the council may decide otherwise, is responsible for the management and supervision of the employees of the municipality;</p> <p>(e) carries out the powers, duties and functions assigned to a chief administrative officer by the council or by this or any other Act; and</p> <p>(f) must notify the council if money of the municipality is spent or invested contrary to a by-law or resolution of this or any other Act.</p> <p>s. 127(1), The Municipal Act, S.M. 1996, c. 58</p>
Note 4 – Roles of Clerk and Treasurer (Footnote 27)	
Corporate administration	<p>198 One of the officer positions established under section 196 must be assigned the responsible of corporate administration, which includes the following powers, duties and functions:</p> <p>(a) ensuring that accurate minutes of the meetings of the local government and its committees are prepared and that the minutes, bylaws and other records of the business of the local government and its committees are maintained and kept safe;</p> <p>(b) ensuring that access is provided to records of the local government and its</p>

	<p>committees, as required by law or authorized by the local government;</p> <p>(c)certifying copies of the bylaws and other documents, as required or requested;</p> <p>(d)administering oaths and taking affirmations, declarations and affidavits required to be taken under this or any other Act in relation to local government matters;</p> <p>(e)accepting, on behalf of the municipality or regional district, notices and documents that are required or permitted to be given, serves on, filed with or otherwise provided to the municipality or regional district;</p> <p>(f)keeping the corporate seal, if any, and having it affixed to documents as required.</p>
<p>Financial administration</p>	<p>199</p> <p>One of the officer positions established under section 196 must be assigned the responsibility of financial administration, which includes the following powers, duties and functions:</p> <p>(a)receiving all money paid to the municipality or regional district;</p> <p>(b)ensuring the keeping of all funds and securities of the municipality or regional district;</p> <p>(c)expending and disbursing money in the manner authorized by the local government;</p> <p>(d)investing revenue funds, until required, in investments referred to in section 483 (1) [<i>investment of sinking fund money</i>];</p> <p>(e)ensuring that accurate records and full accounts of the financial affairs of the municipality or regional district are prepared, maintained and kept safe;</p> <p>(f)compiling and supplying information on the financial affairs of the municipality or regional district required by the inspector.</p> <p>s. 198-199, Municipal Act R.S.B.C. 1996, c.</p>

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Note 5 – Conflict of Interest (Footnote 29)	
Conflict of Interest	<p>170(1) Subject to subsection (3), a councillor has a pecuniary interest in a matter if</p> <p>(a) the matter could monetarily affect the councillor or an employer of the councillor, or</p> <p>(b) the councillor knows or should know that the matter could monetarily affect the councillor's family.</p> <p>(2) For the purpose of subsection (1), a person is monetarily affected by a matter if the matter monetarily affects</p> <p>(a) the person directly,</p> <p>(b) a corporation, other than distributing corporation, in which the person is a shareholder, director or officer,</p> <p>(c) a distributing corporation in which the persons beneficially owns voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which the person is a director or officer, or</p> <p>(d) a partnership or firm of which the person is a member.</p> <p>(3) A councillor does not have a pecuniary interest by reason only of any interest</p> <p>(a) that the councillor, an employer of the councillor or a member of the councillor's family may have an elector, taxpayer or utility customer of the municipality,</p> <p>(b) that the councillor or a member of the councillor's family may have by reason of being appointed by the council as a director of a company incorporated for the purpose of carrying on business for an on behalf of the municipality or by reason of being appointed as the representative of the council on another body,</p>

	<p>(c)that the councillor or member of the councillor's family may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor or member of the councillor's family may be entitled by being appointed by the council to a position described in clause (b),</p> <p>(d)that the councillor may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor may be entitled by being a councillor,</p> <p>(e)that the councillor or a member of the councillor's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the councillor or family member is an employee,</p> <p>(f)that a member of the councillor's family may have by having an employer, other than the municipality, that is monetarily affected by a decision of the municipality,</p> <p>s. 170, Municipal Government Act, S.A. 1994, c. M-26.1</p>
<p><i>Note 6 – Recording of campaign contributions and election expenses (Footnote 30)</i></p>	
<p>Recording of campaign contributions and election expenses</p>	<p>88 (1) In respect of every campaign contribution other than one referred to in section 89(2), the financial agent must record the following:</p> <p>(a)unless the campaign contribution is anonymous, the name of the person or unincorporated organization making the campaign contribution;</p> <p>(b)the date on which the campaign contribution was made;</p> <p>(c)the value of the campaign contribution</p>

	<p>in accordance with section 89.</p> <p>(2)The financial agent must maintain records of election expenses sufficient to meet the requirement of this Division.</p> <p>(3)The records required by this section must be retained by the financial agent, candidate or elector organization until after the next general local election following the election to which they relate.</p>
<p>Duty to file disclosure statements</p>	<p>90</p> <p>(1)Within 120 days after general voting day for an election, the financial agent of each candidate and elector organization must file with the designated local government officer a disclosure statement in accordance with this section.</p> <p>(2)The candidate or elector organization must ensure that the financial agent files a disclosure statement in accordance with this section.</p> <p>(3)A disclosure statement must include the following in relation to the election campaign of the candidate or elector organization.</p> <p>(a)the total amount of campaign contributions;</p> <p>(b)for each person or unincorporated organization who made a campaign contribution of \$100 or more, the information referred to in section 88 (1) (a) to (c);</p> <p>(c)for each anonymous campaign contribution that was given to the municipality or regional district under section 87(2, the information referred to in section 88(1) b) and (c);</p> <p>(d)the total amount of election expenses;</p> <p>(e)the total amount of election expenses is greater than \$3 000, the information regarding election expenses required by regulation under section 156.</p> <p>s. 83 - s. 93, Municipal Act R.S.B.C. 1996, c. 323</p>

APPENDIX 4

COMPARISON OF THE KEY CHARACTERISTICS OF A RURAL DISTRICT GOVERNANCE MODEL AND A LOCAL SERVICE DISTRICT (LSD)

	Rural District Governance Model	Local Service District - LSD
PURPOSE		
<i>Political and administrative role</i>	<p>A Rural District is established to enable residents of one or more former LSDs or part of one or several LSDs to elect a Rural District Authority that, like a municipality, has the authority to adopt and amend a rural plan for the Rural District.</p> <p>The Authority also has decision-making authority respecting fire services and recreation services and is also directly involved in recommending the provision or discontinuance of other local services to the Minister.</p> <p>The Rural District Authority must also be consulted by all government departments and agencies that may be undertaking projects, public works, studies etc that may involve or impact the Rural District.</p>	<p>An LSD is established to enable residents and businesses of a well-defined geographic area located in unincorporated areas to receive one or more local services.</p> <p>While this service mechanism enables the election of an LSD Advisory Committee to advise and assist the Minister in the administration of the local service district, such a committee is not conferred any political and administrative powers by the province.</p>
CREATION		
<i>Prescribed conditions</i>	<p>A Rural District is established pursuant to regulation under the <i>Municipalities Act</i>.</p> <p>Where</p> <p>(a) an area outside the territorial limits of a municipality is located in a planning district and</p> <p>(b) a feasibility study of the area demonstrates that the residents of the area share a community of interest and have expressed a willingness to work together on land use planning issues;</p> <ul style="list-style-type: none"> ◆ the Lieutenant-Governor-in-Council, on the recommendation 	<p>LSD is established pursuant to section 24 of the <i>Municipalities Act</i>.</p> <p>Where</p> <p>(a) twenty-five or more residents of an area outside the territorial limits of a municipality who are qualified to vote under the <i>Elections Act</i> petition the Minister seeking the establishment of that area as a local service district for the provision of a service; or (b) the Minister considers that the feasibility of establishing an area outside the territorial limits of a municipality as a local service district for the provision of a service ought to be explored; the Minister shall within</p>

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	<p>of the Minister, may establish the area as a Rural District by regulation.</p>	<p>thirty days define the boundaries of the proposed local service district and call a meeting, as prescribed by regulation, of all those residents of the area who are qualified to vote under the Elections Act.</p> <p>Where at least 50 people, or 30 per cent of the population qualified to vote under the Elections Act, whichever is the lesser, are in attendance, and a majority of those in attendance decides in favour of the establishment of a local service district for the provision of a service, the Lieutenant-Governor in Council, on the recommendation of the Minister, may establish the area as a local service district for the provision of a service.</p>
ELECTION		
<p><i>Division into wards</i></p>	<p>A Rural District is divided into wards at the time of its creation based on the former boundaries of the participating LSDs, but unlike a municipal Council, the Rural District Authority cannot alter the wards or change the number of its members.</p>	
<p><i>Composition of governing structure and term of office</i></p>	<p>Similar to a municipality, a Rural District Authority is also elected during the triennial municipal elections. The Rural District Authority is composed of 5-7 members. This number is determined according to the population and the characteristics of the community and the number of participating LSDs.</p> <p>At the first meeting of a Rural District Authority after its election on the fourth Monday in May the Rural District Authority selects a chairperson, deputy chairperson, secretary and a representative or representatives for the district planning commission.</p>	<p>An LSD Advisory Committee of not less than three or more than five members can be elected by residents qualified to vote at a meeting called by the Minister. An LSD Advisory Committee remains in office for two years from the date of its election.</p>
LEGISLATIVE -BY-LAW MAKING POWERS		
<p><i>Regulating and licensing activities</i></p>	<p>Where a municipality is empowered to make by-laws respecting any matter, the Lieutenant-Governor in Council, may, upon the recommendation of the Minister, make regulations respecting any</p>	<p>Where a municipality is empowered to make by-laws respecting any matter, the Lieutenant-Governor in Council, may, upon the recommendation of the Minister, make regulations respecting any</p>

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<p><i>Land use planning</i></p>	<p>such matter in a Rural District. For example, the Provincial Exhibitions and Concerts Regulations, and the Provincial Dog Regulation currently apply to all unincorporated areas of New Brunswick.</p> <p>Under <i>the Community Planning Act</i>, a Rural District Authority has the power to adopt, amend and review its own rural plan, like a municipal council. The power to enforce the rural plan lies with the Minister.</p>	<p>such matter in an LSD. For example, the Provincial Exhibitions and Concerts Regulations, and the Provincial Dog Regulation currently apply to all unincorporated areas of New Brunswick.</p> <p>Under <i>the Community Planning Act</i>, the Minister has the power to adopt, enforce, amend and review a rural plan for one or more LSDs, like a municipal council.</p>
<p>OPERATIONS AND PROCEDURES</p>		
<p><i>Vesting of power</i></p> <p><i>Meetings</i></p> <p><i>Decision-making process and openness</i></p> <p><i>Staffing</i></p> <p><i>Representation on regional</i></p>	<p>Only the Rural District Authority is a body corporate, not the Rural District itself. A Rural District Authority is continuing and a new Rural District Authority may take up and complete proceedings commenced by a previous Rural District Authority.</p> <p>A Rural District Authority must meet following its election, and twice annually thereafter, and may meet from time to time as needed.</p> <p>A Rural District Authority must adopt a code of procedure for its meetings.</p> <p>All meetings of a Rural District Authority must be open to the public and all decisions of a Rural District Authority must be made at a meeting of the Rural District Authority.</p> <p>Each member of a Rural District Authority present must announce his or her vote openly and individually and the secretary must record the vote in the minutes of the meeting; secret voting is not permitted and abstentions are only permitted where a member is disqualified to vote by interest or otherwise.</p> <p>Contrary to a municipal council, a Rural District Authority cannot hire its own staff. The Minister appoints a Clerk for the Rural District.</p> <p>The Rural District Authority</p>	<p>An LSD Advisory Committee advises and assists the Minister in the administration of the local service district. The Minister is responsible to administer the district.</p> <p>An LSD Advisory Committee is not required to hold regular or public meetings, but usually its members participate in meetings called by the Minister for the provision or discontinuance of a service.</p> <p>The Minister, through the municipal services representative of the Department, administers each local service district.</p> <p>The Minister may appoint members of the LSD Advisory Committee to represent the area on some regional</p>

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<i>service agencies</i>	appoints representatives on regional service agencies, boards and commissions providing services to the Rural District (e.g., Solid Waste Commission, District Planning).	service agencies, boards and commissions providing services to the LSD (e.g., District Planning Commission, Solid Waste Commission).
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NON-LEGISLATIVE POWERS		
<p><i>Corporate powers</i></p>	<p>Residents of a Rural District or portion of a Rural District who are qualified to vote can petition their Rural District Authority for the provision or discontinuance of a local service. Exploring the feasibility of providing or discontinuing a local service can also be requested by the Minister.</p>	<p>Contrary to a Rural District Authority, an LSD Advisory Committee does not have any responsibility regarding a local petition, vote and recommendation to the Minister for the provision or discontinuance of a service.</p>
<p><i>Provision of local services</i></p>	<p>In either case, the Rural District Authority is responsible to define where the service is to be provided, to call a meeting of affected residents qualified to vote, hold a vote among those attending the meeting, and make a recommendation to the Minister to approve or reject the petition. The Minister then considers the petition, the vote and the recommendation, and then may recommend the provision or discontinuance of the service to the Lieutenant-Governor in Council.</p> <p>The Province provides police protection, transportation, general administration and emergency measures to a Rural District.</p> <p>Two other services are provided to a Rural District: land use planning and solid waste collection and disposal.</p> <p>Other local services are elective, which means that residents may receive and pay the costs of those services, including fire protection, street lighting, community services and recreational facilities.</p> <p>The decision on the provision of these elected services, excluding fire and recreation services rests with the Lieutenant-Governor in Council on the recommendation of the Minister, and not with the Rural District Authority.</p>	<p>The Province provides police protection, transportation, general administration and emergency measures to all LSDs.</p> <p>Two other services are provided to all Local Service Districts: land use planning and solid waste collection and disposal.</p> <p>Other local services are elective, which means that residents may receive and pay the costs of those services, including fire protection, street lighting, community services and recreational facilities.</p> <p>The decision on the provision of these elected services rests with the Lieutenant-Governor in Council on the recommendation of the Minister, and not with the LSD Advisory Committee.</p>

FINANCIAL AUTHORITY & RESPONSIBILITIES		
<p><i>Budgeting - expenses and revenues</i></p>	<p>Each year the Minister must prepare a budget for the provision of services in consultation with each Rural District Authority, which estimates the expenses of the Rural District, and the sources of revenues to finance the anticipated expenses: the unconditional grant and the local warrant.</p> <p>The unconditional grant is calculated via a formula based on the capacity and the characteristics of the Rural Districts and the local service districts in the province. The local warrant represents the portion of the net budget that is raised through property taxes.</p>	<p>Each year the Minister must prepare a budget for the provision of services for each local service district, which estimates the expenses of the local service district, and the sources of revenues to finance the anticipated expenses: the unconditional grant and the local warrant.</p> <p>The unconditional grant is calculated via a formula based on the capacity and the characteristics of the Rural Districts and the local service districts in the province. The local warrant represents the portion of the net budget that is raised through property taxes.</p>
<p><i>Tax rate</i></p>	<p>The tax rate that is fixed by the Minister is equal to (the local warrant) divided by (the Rural District tax base multiplied by 100). The former local service districts, which have combined to create the Rural District, may retain their respective taxing authority.</p>	<p>The tax rate that is fixed by the Minister is equal to (the local warrant) divided by (the community tax base multiplied by 100).</p>

Bibliography

Allen, E.G. *Report of the Task Force on Municipal Structure and Financing*. Fredericton: Government of New Brunswick, 1972

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