

STATUTORY PROVISIONS

MGA Section 181 - Requirements for a valid bylaw or resolution

- (1) A bylaw or resolution of council is not valid unless passed at a council meeting held in public at which there is a quorum present.
- (2) A resolution of a council committee is not valid unless passed at a meeting of that committee held in public at which there is a quorum present.

MGA Section 671 – Use of Reserve Land, Money

(2) Municipal reserve, school reserve or municipal and school reserve may be used by a municipality or school board or by them jointly only for any or all of the following purposes:

- (a) a public park;
- (b) a public recreation area;
- (c) school board purposes;
- (d) to separate areas of land that are used for different purposes.

(4) Money provided in place of municipal reserve, school reserve or municipal and school reserve and the interest earned on that money

- (a) must be accounted for separately, and
- (b) may be used only for any or all of the purposes referred to in subsection (2).

MGA Section 674 - Requirement for hearing

(1) Before any of the following occurs, a public hearing must be held in accordance with section 216.4 and advertised in accordance with section 606:

- (a) the sale, lease or other disposal of (i) municipal reserve, community services reserve or municipal and school reserve by a council,

(3) In addition to the advertising requirement in subsection (1), notices containing the information required under section 606 must be posted on or near the municipal reserve, school reserve, municipal and school reserve or community services reserve that is the subject of the hearing.

MGA Section 675 – Removal of Designation

- (1) After taking into consideration the representations made at a public hearing under section 674(1),
 - (a) a council may direct a designated officer to notify the Registrar that the provisions of this Division have been complied with and request the Registrar to remove a designation of
 - (i) municipal reserve,
- (2) If the Registrar is satisfied that this Part has been complied with, the Registrar must remove the designation in accordance with the request made under subsection (1).
- (3) On removal of the designation, the municipality, or the municipality and the school board, may sell, lease or otherwise dispose of the land, but the proceeds from the sale, lease or other disposition may only be used
 - (a) in the case of a municipal reserve or a municipal and school reserve, for any or all of the purposes referred to in section 671(2) or for any matter connected to those purposes.

Bylaw 12/2026 to add Public Utility Lot (PUL) Designation

MGA Section 665 - Designation of Municipal Land

- (1) A council may by bylaw require that a parcel of land or a part of a parcel of land that it owns or that it is in the process of acquiring be designated as municipal reserve, school reserve, municipal and school reserve, environmental reserve, conservation reserve or public utility lot.
- (2) Subject to subsection (3), on receipt of a copy of a bylaw under this section and the applicable fees, the Registrar must do all things necessary to give effect to the order, including cancelling the existing certificate of title and issuing a new certificate of title for each newly created parcel of land with the designation of
 - (b) public utility lot, which must be identified by a number suffixed by the letters “PUL”.