

AUMA's Submission on the Determination of Population Regulation (DPR)

Definitions

The DPR defines what a municipal census is and the manner in which municipalities determine if an individual is eligible for inclusion in the census, based upon rules set out in the regulation.

The definition of “usual residence” helps municipalities determine if an individual is eligible for inclusion on the census, based upon a set of rules outlined above. Should these rules be amended?

- Yes

If yes, how should the definition be amended?

- There should be consistency between this legislation, and the definition within the Local Authorities Election Act (LAEA). Specifically, the provisions for residency of students should be amended. Currently within the DPR, students are deemed to be living with their parents if their parents reside in the province. As is the case with the LAEA, students should be able to determine which municipality they are considered to be a resident of, and should default to the municipality in which they live for the majority of the year. Further, the “usual residence” definition does not provide appropriate residence provisions for those in rural communities or with P.O. Box numbers (i.e. residence is based on the address shown on driver’s license, where income tax and other mail is addressed and delivered).

Shadow Population

The inclusion of “shadow population” in the DPR allows municipalities with significant temporary worker populations to include them in their population counts. The term does not include students, “snowbirds”, or short-term recreational residents (e.g. families with weekend homes in summer villages or communities with significant tourist visits).

The regulation defines shadow population as “the temporary residents of a municipality who are employed by an industrial or commercial establishment in the municipality for a minimum 30 days within a municipal census year.” The DPR states that “a municipal authority may apply to the Minister to have the shadow population included as part of the municipal census if the shadow population in a municipality is (a) greater than 1000 persons, or (b) less than 1000 persons but greater in number than 10% of the permanent population.”

Are the definition and requirements for a shadow population count sufficient?

- No

If no, how can the definition and requirements be amended?

- This definition is too restrictive and does not capture many types of shadow populations; the definition of shadow population needs to be based not on a “person”, but a person-equivalent. For instance, a company that fills an entire hotel of workers may not have the same individual there for more than 30 days straight, but will have a worker residing in the community continuously. Similarly, very few tourists stay in resort communities or at a weekend home in a summer village for more than 30 days straight. The hotels providing accommodation, or companies bringing workers into camps could be relied on to provide a better perspective on those that are staying in the community and using services, rather than an annual enumeration. Likewise, the definition should capture those considered as “snowbirds”.
- The provision for 1,000 and 10% are too stringent and should be flexible so that a municipality can determine for itself whether it is worth it to do a census of the shadow population, rather than requiring certain thresholds.
- Further, the timing of the enumeration of shadow population should be at the determination of the municipality and prorated or weighted for the year. For example, in both resource and tourist communities, there may be high and low seasons – so choosing 2 months of the year may not be representative and shadow populations could be over or under represented.

Census Time Period

The Determination of Population Regulation provides municipalities with a time period to conduct a census so that municipalities have a reasonable amount of time to complete their municipal census.

Is the legislated time period (April 1 to June 30) an appropriate time period to conduct a municipal census?

- No. Seasonal shadow population is not necessarily in alignment with April-June.

Is the definition of “census date” appropriate?

- The definition should allow flexibility for a municipality to mail out the census forms before April 1 so that the full two months are available. For instance, build into the wording some flexibility on the start date (e.g. +/-10 days.)
- The legislated timelines should be more flexible in a federal census year and adjusted to allow municipalities to start the census on March 1, and the census date and collection should be able to be set on last business day before April 1.

Conduct of Census

Municipalities that undertake a census must follow the DPR and the methodologies outlined in the Municipal Census Manual. Municipalities that wish to deviate from the regulation or manual must obtain written approval from the Minister of Municipal Affairs prior to conducting a municipal census.

Is the process to request deviation from the regulation and/or manual appropriate?

- No

If no, how can the process be amended?

- The process needs to be streamlined. It is a long process to get sign off from the Minister; therefore on something so administrative, there should be a delegation of authority for the ministry to handle these requests.
- Any changes to the Municipal Census manual should allow municipalities sufficient lead time to adjust processes and ensure that changes to processes and written material can be made well ahead of the Census date (ideally, allow for one year of lead time).

Oaths and Statements

Census co-ordinators are required to sign the “Oath of Census Co-ordinator.” Enumerators must sign the “Statement of Enumerator” included in Schedule 1 and Schedule 2 of the DPR. The oath and statement are required as part of Alberta’s *Freedom of Information and Protection of Privacy Act (FOIP Act)*. The signed oaths and statements are critical to protecting the confidentiality of information. As well, they obligate census workers to comply with the Municipal Census Manual. By swearing the oath or statement, census co-ordinators and enumerators are forbidden to discuss or reveal any information obtained during their work on the census that could potentially identify an individual. The oaths and statements are in effect for life —and remain in effect even after census co-ordinators and enumerators are no longer employed by a municipality.

Is the information contained in the Oath of Census Coordinator and Statement of Census Enumerator satisfactory?

- Mostly

If no, how can the Oath of Census Co-ordinator and/or Statement of Census Enumerator forms be improved?

- As the oaths and statements are in effect for life, it needs to be made exceptionally clear that the enumerator is taking an oath for life, not just during their time of employment. It should also be made clear that for issues that fall outside of FOIP provisions, enumerators are bound by the same confidentiality (e.g. enumerators cannot disclose information about a property that could lead to bylaw enforcement).

Duty to Submit

The DPR requires that after completing a census, the municipality must submit the results to the Minister of Municipal Affairs by September 1 of the same year. The designated officer must sign the Municipal Census Form contained in the DPR. On the forms, the designated officer is swearing that a municipal census was completed, states the chosen municipal census date, and reports the usual resident count or shadow population on the appropriate forms.

For quality assurance purposes, municipalities must also complete the field report on the form which provides the usual resident count of the municipality, total number of dwellings, and number of dwellings that could not be contacted.

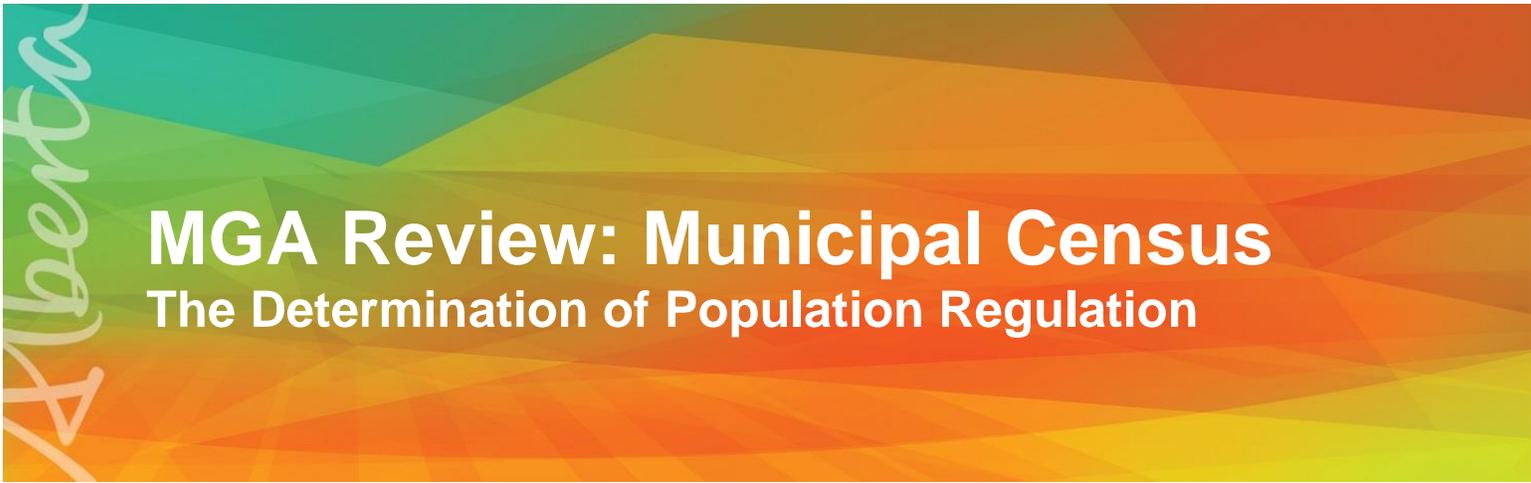
Municipalities that received prior approval from the Minister of Municipal Affairs to conduct a shadow population count along with their municipal census must complete the “Shadow Population Verification Form”.

Should the Duty to Submit provision of the DPR be amended? If yes, what amendments would you propose?

- The submission deadline should be moved to September 30. The September 1 deadline is manageable if everything goes smoothly with the census, (including the Quality Assurance checks), but if there are challenges with collecting and processing the data, the September 1 date poses some difficulty in meeting this requirement.
- Quality Assurance: Municipal Affairs should update the training manual to reflect online processes to streamline the quality assurance checks. The required assurance checks should also be reduced to 500 or 5% of dwellings, where information has been collected by an enumerator at the door.

Is the Municipal Census Form and Shadow Population Verification Forms satisfactory? If no, what changes would you propose?

- No – the Municipal Census Form needs to be amended to streamline the form for specialized municipalities that have urban and rural populations (e.g. county and hamlets). With respect to the non-contacted dwellings, there needs to be a consistent formula that is applied in counting those residents to ensure consistency by all municipalities. If a formula is created, all municipalities should have input.
- No – the Shadow Population Verification Form needs to be updated to make changes consistent with the recommendations above that will increase the ability for municipalities to include their shadow populations and within an appropriate time frame.



MGA Review: Municipal Census

The Determination of Population Regulation

What do you think?

We want to hear from you. We are counting on you, our partners and experts on the needs of your municipal organizations, to help conduct a thorough and effective review of the Determination of Population Regulation (DPR).

You are invited to submit feedback on behalf of your municipality or organization through the workbook until July 29, 2016. The workbook can be worked on, saved and set aside, and completed at a later time at your convenience.

The MGA Review
The review of the Municipal Census information is part of the overall MGA Review, which will be proclaimed by October 2017.

What is being reviewed now?

The DPR is one of the regulations being reviewed as part of the *Municipal Government Act (MGA)* Review. It is anticipated that all changes to the *MGA*, including regulations, will be proclaimed by October 2017, on time for the next general municipal elections.

The DPR specifies the requirements to be followed by municipalities that choose to conduct a municipal census. It defines what a municipal census is, sets out the timing of the census, how the municipal census should be conducted, and how the results are to be submitted to the ministry.

If no municipal census has been conducted, the regulation states that the Minister of Municipal Affairs may turn to other information to determine the population of a municipality. In those circumstances, the Minister typically relies on the results from the last federal census.

MGA Regulation Review

Municipal Census

What is *not* being reviewed now?

The DPR includes most of the mandatory requirements for census taking. However, some aspects of the census are not part of the current review. These include:

- the Municipal Census Manual;
- provincial and municipal grant programs;
- other pertinent provincial legislation (i.e. *Freedom of Information and Protection of Privacy Act, Crowsnest Pass Regulation, etc.*); and
- The Municipal Affairs Population List.

These aspects of the municipal census may be reviewed in the future.

Questionnaire: Have Your Say

Municipal Government Act (MGA)

The authority for municipalities to undertake a census is specified through Section 604 of the *MGA*. The *MGA* also provides the Minister of Municipal Affairs the authority to make regulations that define who is counted, how a municipal census is carried out, and procedures for submitting the census results to Municipal Affairs.

Note: To provide legislative context for this discussion, we have included relevant excerpts from the *MGA* and the DPR throughout the document:

MGA:

Census

s.57 *A council may conduct a census.*

Ministerial regulations

s.604 *The Minister may make regulations*

- (a) *defining population for the purposes of this Act;*
- (b) *respecting the determination of the population of a municipality or other geographic area and establishing requirements for a municipality to conduct a census and provide information concerning population to the Minister;*

Determination of Population Regulation (DPR)

The primary goal of the DPR is to standardize processes for census-taking to increase the reliability and validity in information collection. This ensures the statistical integrity of the Municipal Affairs Population List.

Definitions

The DPR defines what a municipal census is and the manner in which municipalities determine if an individual is eligible for inclusion in the census, based upon rules set out in the regulation.

DPR:

Interpretation

(Municipal Census)

1(1) *In this Regulation, “municipal census” means, in respect of a municipal authority, a population count, conducted in accordance with sections 3 and 3.1, of the total number of individuals whose usual residence is that municipal authority.*

(Usual Residence)

1(2) *For the purposes of this Regulation, “usual residence” is determined in accordance with the following rules:*

- (a) *a person can have only one place of usual residence;*
- (a.1) *if a person has more than one residence in Alberta, that person shall, in accordance with subsection (3), designate one place of residence as the person’s usual residence;*
- (b) *a person’s usual residence is the place where the person lives and sleeps and to which, when the person is absent from it, the person intends to return;*
- (c) *a student who*
 - (i) *is in attendance at an educational institution within or outside Alberta,*
 - (ii) *temporarily rents accommodation for the purpose of attending an educational institution, and*
 - (iii) *has family members who are usually resident in Alberta and with whom the student usually resides when not in attendance at an educational institution*

is deemed to reside with those family members;

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Municipal Census

- (d) *the usual residence of a person who has been in an institution, such as a correctional institution or hospital, for less than 6 months is deemed to be the person's usual place of residence before the person entered the institution.*
- (3) *For the purposes of subsection (2)(a.1), a person shall designate the person's usual residence in accordance with the following factors in the following order of priority:*
 - (a) *the address shown on the person's driver's licence or motor vehicle operator's licence issued by or on behalf of the Government of Alberta, or on an identification card issued by or on behalf of the Government of Alberta;*
 - (b) *the address to which the person's income tax correspondence is addressed and delivered;*
 - (c) *the address to which the person's mail is addressed and delivered.*

The definition of “usual residence” helps municipalities determine if an individual is eligible for inclusion on the census, based upon a set of rules outlined above. Should these rules be amended?

[Click here to choose yes or no](#)

If yes, how should the definition be amended?

[Click here to enter text.](#)

Shadow Population

The inclusion of “shadow population” in the DPR allows municipalities with significant temporary worker populations to include them in their population counts. The term does not include students or short-term recreational residents (e.g. families with weekend homes in summer villages or communities with significant tourist visits).

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Municipal Census

DPR:

Interpretation

(Shadow Population)

- 1(4) *In this Regulation, “shadow population” means, in respect of a municipal authority, the temporary residents of a municipality who are employed by an industrial or commercial establishment in the municipality for a minimum 30 days within a municipal census year.*

Shadow Population

- 2.1(1) *A municipal authority may apply to the Minister to have the shadow population included as part of the municipal census if the shadow population in a municipality is*
- (a) greater than 1000 persons, or*
 - (b) less than 1000 persons but greater in number than 10% of the permanent population.*
- (2) An application under subsection (1) must be made prior to the municipal authority conducting the municipal census.*
- (3) The shadow population for a municipal authority must be verified every 3 years by a count held in the period starting on April 1 and ending on June 30 of the same year.*
- (4) The Minister shall determine whether the shadow population may be included as part of the municipal authority’s municipal census.*
- (5) If the Minister permits a municipal authority to use the shadow population as part of the municipal census, the municipal authority must submit the results of the count of the shadow population, in the form set out in Schedule 3, to the Minister before September 1 of the year in which the municipal census is conducted.*

Are the definition and requirements for a shadow population count sufficient?

[click here to select yes or no](#)

If no, how can the definition and requirements be amended?

[Click here to enter text.](#)

Census Time Period

The Determination of Population Regulation provides municipalities with a time period to conduct a census so that municipalities have a reasonable amount of time to complete their municipal census.

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Municipal Census

DPR:

When census must be conducted

- 3.1(1) *A municipal authority that wishes to conduct a municipal census must do so in the period starting on April 1 and ending on June 30 of the same year.*
- (2) *The Minister may determine the manner in which a municipal census must be conducted.*
- (3) *A municipality must choose as a census date a date within the time period referred to in subsection (1) that is either*
- (a) *the date on which enumeration begins, or*
 - (b) *a date prior to enumeration.*

Is the legislated time period (April 1 to June 30) an appropriate time period to conduct a municipal census?

[click here to select yes or no](#)

Is the definition of “census date” appropriate?

[click here to select yes or no](#)

If no to any of the questions above, please indicate why?

[Click here to enter text.](#)

Conduct of Census

Municipalities that undertake a census must follow the DPR and the methodologies outlined in the Municipal Census Manual. Municipalities that wish to deviate from the regulation or manual must obtain written approval from the Minister of Municipal Affairs prior to conducting a municipal census.

The Municipal Census Manual will be reviewed following the completion of the DPR review.

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Municipal Census

DPR:

Conduct of census

3.1(1) Subject to subsection (2), a municipal authority must conduct a municipal census in accordance with the Municipal Census Manual approved by the Minister and published by the department in January 2013, as amended from time to time.

(2) If a municipal authority wishes to conduct a municipal census that is not in accordance with this Regulation or the Municipal Census Manual referred to in subsection (1), the municipal authority must obtain the written approval of the Minister prior to conducting the municipal census.

Is the process to request deviation from the regulation and/or manual appropriate?

[click here to select yes or no](#)

If no, how can the process be amended?

[Click here to enter text.](#)

Oaths and Statements

Census co-ordinators are required to sign the “Oath of Census Co-ordinator.” Enumerators must sign the “Statement of Enumerator” included in Schedule 1 and Schedule 2 of the DPR. The oath and statement are required as part of Alberta's *Freedom of Information and Protection of Privacy Act (FOIP Act)*. The signed oaths and statements are critical to protecting the confidentiality of information. As well, they obligate census workers to comply with the Municipal Census Manual. By swearing the oath or statement, census co-ordinators and enumerators are forbidden to discuss or reveal any information obtained during their work on the census that could potentially identify an individual. The oaths and statements are in effect for life —and remain in effect even after census co-ordinators and enumerators are no longer employed by a municipality.

DPR:

Oath

3.2(1) Every census co-ordinator must swear an oath, in the form set out in Schedule 1, prior to conducting a municipal census.

(2) Every census enumerator must make the statement, in the form set out in Schedule 2, prior to conducting a municipal census.

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Municipal Census

DPR:

Schedule 1 **Oath of Census Co-ordinator**

MUNICIPAL AUTHORITY: _____, PROVINCE OF ALBERTA

MUNICIPAL CENSUS DATE: _____

I, (name of person taking oath), of (residential address), appointed census co-ordinator for (name of municipality), solemnly state

THAT I will act diligently, faithfully and to the best of my ability in my capacity as census co-ordinator;

THAT I will not, without authority, disclose or make known any information that comes to my knowledge by reason of my activities as a census co-ordinator; and

THAT I will supervise the municipal census and all census enumerators to the best of my ability and in accordance with the Municipal Census Manual approved by the Minister and published by the department.

SWORN (AFFIRMED) BEFORE ME)
at the _____ of _____, in the Province)
of Alberta, this _____ day of _____,)
20_____.)

(signature of person taking oath)

(signature of Commissioner of Oaths)

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DPR:

Schedule 2 Statement of Census Enumerator

MUNICIPAL AUTHORITY: _____, PROVINCE OF ALBERTA

MUNICIPAL CENSUS DATE: _____

I, (name of person taking oath), of (residential address), appointed census enumerator for (name of municipality), solemnly state

THAT I will act diligently, faithfully and to the best of my ability in my capacity as census enumerator;

THAT I will not, without authority, disclose or make known any information that comes to my knowledge by reason of my activities as a census enumerator; and

THAT I will carry out the census of the area to which I am assigned to the best of my ability and in accordance with the Municipal Census Manual approved by the Minister and published by the department.

(date)

(signature of census enumerator)

Is the information contained in the Oath of Census Coordinator and Statement of Census Enumerator satisfactory?

[click here to select yes or no](#)

If no, how can the Oath of Census Co-ordinator and/or Statement of Census Enumerator forms be improved?

[Click here to enter text.](#)

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Municipal Census

Duty to Submit

The DPR requires that after completing a census, the municipality must submit the results to the Minister of Municipal Affairs by September 1 of the same year.

The designated officer must sign the Municipal Census Form contained in the DPR. On the forms, the designated officer is swearing that a municipal census was completed, states the chosen municipal census date, and reports the usual resident count or shadow population on the appropriate forms.

For quality assurance purposes, municipalities must also complete the field report on the form which provides the usual resident count of the municipality, total number of dwellings, and number of dwellings that could not be contacted.

Municipalities that received prior approval from the Minister of Municipal Affairs to conduct a shadow population count along with their municipal census must complete the “Shadow Population Verification Form”.

DPR:

Duty to submit results

- 4(1) *On completing a municipal census, the municipal authority must*
- (a) submit the results of the municipal census in the form set out in Schedule 4,*
 - and*
 - (b) if the Minister has determined under section 2.1 that the shadow population may be included as part of the municipal authority’s municipal census, submit the results of the count of the shadow population in the form set out in Schedule 3 to the Minister before September 1 of the year in which the municipal census is conducted.*
- (2) If the results are accepted by the Minister, those results, subject to subsection (4), constitute the population of that municipal authority.*
- (3) If no municipal census has been conducted in a year or the results of a municipal census are not submitted to the Minister within the time set out in subsection (1) or are not accepted by the Minister, the Minister may use whatever information that is available to determine the population of the municipal authority.*

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Should the Duty to Submit provision of the DPR be amended?

[click here to select yes or no](#)

If yes, what amendments would you propose?

[Click here to enter text.](#)

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DPR:

Schedule 4 Municipal Census Form

MUNICIPAL AUTHORITY: _____, PROVINCE OF ALBERTA

MUNICIPAL CENSUS DATE: _____

I, (name of person taking oath) _____, of (residential address) _____, appointed designated officer for (name of municipality) _____, solemnly swear (affirm)

THAT I am the designated officer of the municipality of (name of municipality) _____.

THAT the date chosen as the municipal census date for this municipality was the _____ day of _____, 20_____.

THAT a municipal census completed on the _____ day of _____, 20____ discloses that the total number of individuals whose usual residence is in this municipality is (total population).

THAT the Municipal Census Field Report attached below is accurate and complete to the best of my knowledge.

SWORN (AFFIRMED) BEFORE ME)
at the _____ of _____, in the Province)
of Alberta, this _____ day of _____,) (designated officer)
20____.)

(signature of Commissioner for Oaths))

Municipal Census Field Report

Field Report for the <u>(year)</u> census of <u>(municipality)</u> _____	
Total Population	
Total count of dwellings	
Total number of non-contacted dwellings	

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Is the Municipal Census Form satisfactory?

[click here to select yes or no](#)

If no, what changes would you propose?

[Click here to enter text.](#)

DPR:

Schedule 3

Shadow Population Verification Form

MUNICIPAL AUTHORITY: _____, PROVINCE OF ALBERTA

MUNICIPAL CENSUS DATE: _____

I, (name of person taking oath), of (residential address),
appointed designated officer for (name of municipality), solemnly swear
(affirm)

THAT I am the designated officer of the municipality of (name of municipality).

THAT the date chosen as the municipal census date for this municipality was
the _____ day of _____, 20_____.

THAT a count of the shadow population completed on the _____ day of _____, 20____
discloses that the total number of temporary residents who are employed in an industrial or
commercial establishment in the municipality for a minimum of 30 days within the census
year is (total population).

SWORN (AFFIRMED) BEFORE ME)
at the _____ of _____, in the Province)
of Alberta, this _____ day of _____,))
20_____.)

(designated officer)

(signature of Commissioner for Oaths)

MGA Regulation Review

Municipal Census

Is the Shadow Population Verification Form satisfactory?

click here to select yes or no

If no, what changes would you propose?

Click here to enter text.

Briefly About Your Organization

This final set of questions will give us a better indication of the organizations that took part in this review.

What Stakeholder group do you belong in?

Select stakeholder group

Do you believe you represent a predominantly urban or rural perspective?

Select urban or rural

Do you have any additional comments?

Click here to enter text.

Thank you! We appreciate your feedback on the Determination of Population Regulation and your contribution to the province-wide discussion about the municipal census. There are two main ways to submit your responses:

- 1) To submit your input towards the Determination of Population Review, save the document to your desktop, and then forward it to lgs.update@gov.ab.ca. A confirmation message will come up if your submission is successful.

For more information, please contact
Kim Moore at kim.moore@gov.ab.ca
or call toll-free:310-0000, then
780-422-8303

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2) If you are connected to the internet and use outlook, please click the submit workbook

button here.

Submit through outlook

If you have any questions with regard to the Determination of Population Regulation Review, please contact Kim Moore, Municipal Information Advisor at kim.moore@gov.ab.ca or

call toll-free at 310-0000, then 780-422-8303.