

*UPDATES TO AN EXISTING REGULATION

FOR DISCUSSION PURPOSES ONLY

Municipal Government Act

DETERMINATION OF POPULATION REGULATION

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Schedules

Interpretation

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 in that municipal authority.

(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;

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- (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 institutionis deemed to reside with those family members;
- (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.

(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 of 30 days within a municipal census year.

AR 63/2001 s1;17/2006;10/2013

To provide clarity on the definitions, Statistics Canada's definitions of "private dwelling" and "non-contacted dwelling" are used.

(5) For the purposes of this Regulation, "private dwelling" means a separate set of living quarters designed for or

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converted for human habitation in which a person or group of persons could reside and that

- (a) has a source of heat or power, and
- (b) is in an enclosed space that provides shelter from the elements, as evidenced by complete and enclosed walls and a roof, and by doors and windows that provide protection from wind, rain and snow.

(6) For the purposes of this Regulation, a “refusal” is determined when a household refuses to participate in a census.

(7) For the purposes of this Regulation, “non-contacted dwellings” means a dwelling where a census worker has not been able to make contact with a member of the household and the census worker believes that the dwelling was occupied by usual residents on census day.

Determination of population

2 For the purposes of the Act, the population of a municipal authority is the population determined under section 4.

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

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the Minister before September 1 of the year in which the municipal census is conducted.

AR 10/2013 s3

When census must be conducted

3(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.

AR 63/2001 s3;17/2006;10/2013

Federal census in same year

3.01 Notwithstanding the time period set out in section 3, if a federal census is conducted in the same year that a municipal authority wishes to conduct a municipal census, the municipal authority may conduct the municipal census either in the period

- (a) starting on March 1 and ending on May 31 of the same year, or
- (b) starting on May 1 and ending on July 31 of the same year.

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.

AR 10/2013 s5

To assist municipalities in planning their census in a federal census year and reduce confusion for residents when a federal and municipal enumeration occur during same time.

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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.

AR 10/2013 s5

(3) An oath or statement made under Schedule 1 or Schedule 2 is valid for the lifetime of the person making the oath or statement.

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.

(4) If the municipal authority changes its boundaries after June 30 in a year in which it has conducted a municipal census, the Minister may require the municipal authority to update the results of the census and to submit the updated results to the Minister.

AR 63/2001 s4;10/2013

To ensure all census workers are aware they cannot discuss any information obtained during their work with the census that could potentially identify an individual, business or organization, and that this oath or affirmation is in perpetuity.

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All special provisions for the Municipality of Crowsnest Pass is contained in the *Crowsnest Pass Regulation*. This section is now in the *Crowsnest Pass Regulation*.

Population of Municipality of Crowsnest Pass

~~4.1(1) Notwithstanding section 4, for the purpose of the determination of population under section 6 of the *Police Act*, the area of the Municipality of Crowsnest Pass, instead of being treated as an entity, shall be treated as if it were the following 6 separate areas:~~

~~(a) the following 4 former municipalities as they existed as of January 1, 1979, being the date of their amalgamation as the Municipality of Crowsnest Pass:~~

~~(i) the Town of Blairmore;~~

~~(ii) the Town of Coleman;~~

~~(iii) the Village of Bellowue;~~

~~(iv) the Village of Frank;~~

~~(b) the part of former Improvement District No. 5 that was included in the Municipality of Crowsnest Pass as of January 1, 1979;~~

~~(c) the part of former Improvement District No. 6 that is now included in the Municipality of Crowsnest Pass, as it existed as of January 1, 1996, being the date of its amalgamation with the Municipality of Crowsnest Pass.~~

~~(2) For the purpose of reporting population to the Minister under this section, the form set out in the Schedule may be adapted to list separately the population of each of the 6 areas referred to in subsection (1).~~

~~(3) This section ceases to apply when the population attributed under subsection (1) to any of the areas referred to in subsection (1)(a), (b) or (c) exceeds 5000.~~

AR 71/2006 s2

Lloydminster official census

~~5 The municipal census for the City of Lloydminster must relate only to the portion of that City that is in Alberta.~~

AR 63/2001 s5;10/2013

Repeal

~~6 The *Determination of Population Regulation* (AR 371/94) is repealed.~~

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Expiry

~~7—For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on January 31, 2018.~~

AR 63/2001 s7;17/2006;189/2010;10/2013

Removing the expiry date enables future reviews as they are needed.

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 swear (affirm)

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 _____.)

(signature of person taking oath)
20_____.)
_____))
(signature of Commissioner for Oaths)

IT IS AN OFFENCE TO SIGN A FALSE AFFIDAVIT

NOTE:

The personal information that is being collected under the authority of the *Municipal Government Act* will be used for the purposes of that Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

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Schedule 3

Shadow Population Verification Form

MUNICIPAL AUTHORITY: _____, PROVINCE OF ALBERTA

MUNICIPAL CENSUS DATE: _____

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

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

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 by an industrial or commercial establishment in the municipality for a minimum of 30 days within the municipal census year is (total shadow population).

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

AR 10/2013 Sched. 3

Schedule 4

Municipal Census Form

MUNICIPAL AUTHORITY: _____, PROVINCE OF ALBERTA

MUNICIPAL CENSUS DATE: _____

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

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

The individual is signing the form as a designated officer and as such it makes more sense for them provide the address for their place of employment rather than their personal place of residence.

The individual is signing the form as a designated officer and as such it makes more sense for them provide the address for their place of employment rather than their personal place of residence.

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

~~THAT a municipal census completed~~ THAT a municipal census enumeration 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	

AR 10/2013-Sched. 4

Total count of usual residents	
Total count of private dwellings	
Total number of non-contacted dwellings	
Total number of refusals	

To clarify the intent that municipalities include the completion date of enumeration, not the date of the census.

Census refusals will now be tracked ensuring the data being collected is more accurate.