



The Municipalities Act Becoming a Municipality

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The Municipalities Act (MA) provides the specific legislative requirements and processes before an application may be submitted to the Minister for consideration. To apply for incorporation as a **village** or **resort village**, a community must:

- have a minimum taxable assessment of \$15 million;
- have been an organized hamlet for at least three years (more information below);
- have a population of 100 or more in the most recent census taken pursuant to the *Statistics Act* (Canada);
- contain 50 or more separate dwelling units or business premises;
- have an outline of plans for future growth or development; and
- have a proposed operating and capital budget.

In addition to these requirements, it is important to note that once incorporated as a municipality, the municipality must:

- provide for the election and remuneration of a council consisting of a mayor and a minimum of two council members;
- develop and maintain a safe and viable community;
- establish fire protection services;
- provide services, facilities and other things that are necessary and desirable for all or part of the municipality;
- appoint a qualified administrator;
- prepare and approve an emergency plan, establish and maintain an emergency measures organization (EMO) and appoint an EMO coordinator;
- have the municipality's assessment confirmed by Saskatchewan Assessment Management Agency (SAMA) each year;
- have the ability to maintain and operate public utility systems, including water and waste water systems;
- enforce the collection of tax and other arrears;
- establish, pass and enforce the bylaws that will govern the municipality;
- have the ability to plan and submit applications for grants within the required timeframes;
- contract or employ a certified water operator for water utilities;
- adopt a public notice bylaw;
- adopt a water rate policy and waterworks investment strategy by bylaw or resolution;
- appoint a board of revision and provide appropriate training and remuneration;
- adopt an operating and capital budget each year prior to authorizing the tax levy;
- provide wise stewardship through planning for the future sustainable needs of the municipality;
- have the municipality's audited financial statement and the auditor's report submitted to the Minister by July 1 of each year;

NOTE: This document has been prepared by Saskatchewan Ministry of Municipal Affairs for general information purposes and should not be relied upon as a substitute for specialized legal or professional advice.

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The detailed information regarding incorporation is contained in the document entitled "Incorporation". It may be found at the following web address: <http://www.municipal.gov.sk.ca/municipal-status/incorporation/> .

Establishment of an Organized Hamlet

As previously noted, one of the prerequisites of incorporation, as a village or resort village, is being an organized hamlet for at least 3 years. If a community meets the minimum legislative requirements to be established as an Organized Hamlet and wishes to pursue establishment as an organized hamlet, a prescribed Form D from The Municipalities Regulations, with the signatures of at least 30 persons who would be voters of the proposed organized hamlet must be submitted to the administrator of the rural municipality where the hamlet is located. The petition must be completed by a person who resides in the hamlet and who will represent the petitioners and undertake all further communications on their behalf. Within 30 days after the receipt of the petition, the municipal administrator must verify the signatures of the petition and report to council on whether the petition is sufficient. If the petition is sufficient, the rural municipal council must prepare a notice to the public outlining the intention of the hamlet to become an organized hamlet. The specific details regarding the process and other requirements are outlined in full on the document entitled "Establish an Organized Hamlet". It may be found at the following web address: <http://www.municipal.gov.sk.ca/municipal-status/establish-organized-hamlets/>.

For more information regarding municipal incorporation, contact Municipal Advisory Services at 306-787-2680.