


# Implementation Fact Sheet

Amendments to the Municipal Government Act, 2015-17

## Intermunicipal Collaboration Frameworks

Legislation	<a href="#">Municipal Government Act (MGA)</a> 
Regulation	Intermunicipal Collaboration Framework Regulation
Category	Planning and Development
Section Number	s. 631, s. 708.27, s. 708.28, s. 708.29, s. 708.3, s. 708.31, s. 708.32, s.708.321, s. 708.33, s. 708.45

### Previous MGA requirements:

The MGA gives municipalities the option to engage in cooperative initiatives with neighbouring municipalities through mechanisms such as intermunicipal agreements, mutual aid agreements, and regional services commissions. Additionally, the MGA allows, two or more municipalities to voluntarily collaboratively plan for future growth and development through intermunicipal development plans which are passed by bylaws by each participating municipal council.

### What's changed?

- All municipalities will be required to adopt an intermunicipal collaboration framework (ICF) with each municipality they share a common border with by April 1, 2020. [s.708.28](#)

### What do municipalities need to know?

#### Purpose of an ICF

- To provide for integrated and strategic planning, delivery and funding of intermunicipal services.
- To steward scarce resources efficiently in providing local services.
- To ensure municipalities contribute funding to services that benefit their residents. [s.708.27](#)

#### What is an ICF?

- An ICF is a framework adopted by municipal councils who are part of the framework passing matching bylaws that:
  - lists services currently provided by each municipality; services being shared on an intermunicipal basis by the municipalities; and services provided by third parties;
  - identifies how each of these services would be best delivered;
    - municipalities are not required to provide an intermunicipal service if they agree that the service is better provided on their own; [s.708.29\(1\)](#), [708.33\(1\)](#)
    - an intermunicipal service can be provided in all or a part of a municipality; and [s.708.29\(3\)](#)
  - outlines how intermunicipal services will delivered and funded.
    - The framework may reference, alter, or rescind existing intermunicipal agreements. [s.708.31](#)
- The framework must address the following services: [s.708.29\(2\)](#)
  - transportation;
  - water and wastewater;
  - solid waste;
  - emergency services;
  - recreation; and

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- any other services that benefit residents in more than one of the municipalities that are parties to the framework.
- The ICF must also include:
  - a time frame for implementing intermunicipal services; [s.708.29\(1\)\(d\)](#)
  - an intermunicipal development plan unless the municipalities have separately adopted one; and [s. 631, s.708.3](#)
  - provisions for a binding dispute resolution process to resolve implementation disputes. [s.708.45](#)
    - Where a framework does not identify a binding dispute resolution, the model provisions identified in the regulation apply. [s.708.45\(2\)](#)
- The ICF may contain:
  - details required to implement intermunicipal services; and [s.708.29\(1\)\(e\)](#)
  - provisions for developing infrastructure for common benefit. [s.708.29\(1\)\(f\)](#)

## Parties to an ICF

- Municipalities with a common boundary must create a framework. [s.708.28\(1\)](#)
  - For an urban municipality, the framework would be created with the rural municipality in which it is located.
  - For a rural municipality, the framework would be created with each urban municipality within its boundary, and with any other rural municipality that it shares a boundary with.
- Other municipalities that do not have a common boundary may be a party to a framework. [s.708.28\(2\)](#)
  - For example, a rural municipality and all of the urban municipalities within its boundary could choose to create a single framework.
- Municipalities that are parties to a framework may invite an Indian band or Métis settlement to participate in the delivery and funding of services to be provided under a framework. [s.708.321](#)
- Municipalities that are members of a growth management board are not required to create a framework with other growth management board members, to the extent that required ICF components are addressed by the growth management board; however, a growth management board member is still required to create a framework with a non-member municipality that it shares a boundary with. [s.708.28\(4\)\(a\)](#)
- The Minister may order exempt one or more municipalities from the requirement to create an ICF. [s.708.28\(4\)\(b\)](#)

## Creating an ICF

- In creating or reviewing the ICF, municipalities must negotiate in good faith. [s.708.33\(3\)](#) The parties must:
  - act honestly, respectfully and reasonably;
  - regard the legitimate interests of each party;
  - have an appropriate communication approach;
  - look for the potential for joint benefit of all parties;
  - disclose to each other information that is necessary to understand a position or formulate an intelligent response;
  - meet through representatives who are equipped and fully authorized to engage in rational discussion; and
  - be willing and prepared to explore the issues presented by all parties and explain the rationale for their positions.
- Municipalities may voluntarily enter mediation at any point during the two-year timeframe to develop an ICF.
- A copy of the framework must be filed with the Minister within 90 days of its creation. [s.708.33\(4\)](#)

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- All parties must align their bylaws (except their land-use bylaws) with the framework within two (2) years after the bylaw to create the framework is adopted. **Regulation s.5**






## Regular Review of the ICF

- Municipalities that are a part of the ICF must review the framework at least every five (5) years after the creation of the framework, or within a shorter period as provided for in the framework. **s.708.32(1)**
  - If during the review, the municipalities no longer agree that the framework continues to serve the interest of the municipalities, the municipalities must create a replacement framework. **s.708.32(2)**

## When does this change take place?

- These sections come into force April 1, 2018.
- Municipalities must establish an ICF by April 1, 2020 (within two (2) years of the sections coming into force on April 1, 2018); an extra year is allowed for arbitration if required. **s.708.28(1)**
- Intermunicipal Development Plans must be adopted by April 1, 2020 (within two (2) years of the sections coming into force on April 1, 2018).

## What resources are/will there be available to assist?

- Best practices and guidelines are under development (AUMA/AAMDC).
- [Municipal Affairs Regional Training Session](#). 
- [Elected Officials Education Program](#) (EOEP) – [www.eoep.ca](http://www.eoep.ca) (AAMDC/AUMA) 
- [Municipal Planning Hub](#) (AUMA) 
- Related Implementation Fact Sheet – Intermunicipal Collaboration Framework – Arbitration
- [Municipal Boundaries](#) 
- [Modernized Municipal Government Act, 2016](#) 



For more information:

**Phone:** 780-427-2225  
**Toll-free in Alberta:** 310-0000  
**Fax:** 780-420-1016  
**Email:** [lgsmail@gov.ab.ca](mailto:lgsmail@gov.ab.ca)

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