

Resolution 27A

MUNICIPAL GOVERNMENT ACT BOUNDARY REVIEW PROCESS (DEFEATED)

⇒ Halifax Regional Municipality

WHEREAS the *Municipal Government Act* currently requires municipal Councils to be the recommending body for the number of districts and location of district boundaries; and

WHEREAS this requirement places municipal Councils in a conflict of interest situation which is not conducive to impartial recommendations or public confidence in such recommendations; and

WHEREAS both Halifax Regional Council and Cape Breton Regional Council have passed motions requesting that the Province amend the *MGA* to institute an independent third party to undertake boundary review processes and recommendations; and

WHEREAS the Province this year tasked the UARB with undertaking an independent boundary review of both HRM and CBRM, simultaneously with the municipal reviews;

THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities request that the Province amend the *Municipal Government Act*, Part XVI, Section 369 to remove municipal Councils as the body required to conduct their own boundary reviews and instead have the Provincial Government appoint an independent party and ensure a mechanism for adequate public participation.

BACKGROUND:

Member of the Halifax Regional Council and Cape Breton Regional Council have both passed motions indicating that it is time for Service Nova Scotia and Municipal Relations to reconsider the requirement (MGA Part XVI, Section 369) for Councils to be the recommending body regarding both the number of districts within a Municipality and the actual location of the district boundaries.

Halifax Regional Council, on December 7, 2010, passed the following motion: "That Halifax Regional Council request that the Province of Nova Scotia amend the MGA to remove Council as the body required to conduct the study of the number and boundaries of polling districts in the municipality and to direct the NSUARB shall be the body that both conducts the study and sets the number and boundaries of polling districts and number of Councillors..."

Cape Breton Regional Council passed a similar motion in January 2011:

"The current legislative requirements place elected officials at the time of the reviews in an extremely difficult position of being the body that is recommending. This "allowed conflict" does not serve to enhance the both public credibility and confidence in Municipal Elected bodies, In keeping with the Provincial approach to setting electoral boundaries the Services Nova Scotia and Municipal Relations should work with UNSM to implement the appropriate amendments to the MGA to provide direction for a 3rd party independent review body to conduct regular boundary reviews as required."

Forwarded to:
Minister of Service Nova Scotia & Municipal Relations