



1. Statement of Policy

The Government of the Northwest Territories may establish or revise community boundaries.

2. Principles

The Government of the Northwest Territories will adhere to the following principles when implementing this Policy:

- (1) A community boundary should define a geographic area within which a community government can realistically and regularly enforce its authority over all matters within its jurisdiction.
- (2) A community boundary should reflect a sense of common association whereby people within that boundary relate to the locality as a centre for services.
- (3) A boundary should be of such size and scope as to allow the community government the capability to meet reasonable service demands for municipal services to be delivered in a cost effective manner to all community residents.

3. Scope

This Policy applies to the establishment or revision of any community boundary.

4. Definitions

The following terms apply to this Policy:

Community - for the purposes of this Policy, a group of people residing in one locality which has been:

- (a) declared, or in the process of being considered for declaration, as a Settlement under the *Settlements Act*, or



- (b) incorporated, or in the process of being incorporated, under the *Charter Communities Act*, the *Cities, Towns and Villages Act*, the *Hamlets Act* or the *Settlements Act*.

Community Boundary - a line defining the area in and around a community within which the community government has jurisdiction.

Community Government - a municipal corporation or, in the absence of a municipal corporation, a community governing authority recognized by the Minister of Municipal and Community Affairs as the prime public authority responsible for the provision of municipal services.

Municipal Corporation - a corporation established under or continued by the *Charter Communities Act*, the *Cities, Towns and Villages Act*, the *Hamlets Act* or the *Settlements Act*.

Municipal Programs and Services - those programs and services which are normally provided by community governments, including the provision of water; collection, treatment and disposal of sewage and garbage; fire protection; road maintenance; recreation; by-law enforcement; land use control and community planning. This may also include land administration, borrowing and the collection of property taxes.

5. Authority and Accountability

(1) General

This Policy is issued under the authority of the Executive Council. The authority to make exceptions and approve revisions to this Policy rests with the Executive Council. Authority and accountability is further defined as follows:

(a) Minister

The Minister of Municipal and Community Affairs (the Minister) is accountable to the Executive Council for the implementation of this Policy.



(b) Deputy Minister

The Deputy Minister of Municipal and Community Affairs (the Deputy Minister) is accountable to the Minister and responsible to the Minister for the administration of this Policy.

(2) Specific

(a) Executive Council

The Executive Council may recommend to the Minister:

- (i) the establishment of a community boundary for a community incorporating under the *Charter Communities Act*, and
- (ii) the variation of community boundaries of communities incorporated under the *Charter Communities Act*, the *Cities, Towns and Villages Act*, the *Hamlets Act* or the *Settlements Act*.

(b) Minister

The Minister may:

- (i) accept applications for community boundary establishment or community boundary revisions;
- (ii) issue a Minister's Order establishing a community boundary for a community incorporating under the *Settlements Act*, the *Hamlets Act*, or the *Cities, Towns and Villages Act*;
- (iii) issue, upon the recommendation of the Executive Council, a Minister's Order establishing a community boundary for a community incorporating under the *Charter Communities Act*;



- (iv) issue, upon the recommendation of the Executive Council, a Minister's Order varying a community boundary for a community incorporated under the *Charter Communities Act*, the *Cities, Towns and Villages Act*, the *Hamlets Act* or the *Settlements Act*; and
 - (v) provide for any transitional matters related to the establishment or revision of community boundaries.
- (c) Deputy Minister

The Deputy Minister will:

- (i) ensure proposed boundaries and revisions are consistent with criteria;
- (ii) determine the administrative procedures required in considering community boundary proposals;
- (iii) direct the preparation of legal descriptions and maps of the proposed boundaries; and
- (iv) initiate requests to the Department of Justice for the preparation of Minister's Orders and any other legal instruments which may be required for the establishment or revision of community boundaries.

6. Provisions

(1) Criteria

The following criteria will be used in determining a newly established community boundary or in revising an existing community boundary:



(a) General Criteria

(i) Territorial Boundary

A community boundary must be within the boundary of the Northwest Territories.

(ii) Continuous Area

A community boundary shall be defined by one continuous, unbroken line. Exceptions will be considered where it can be demonstrated that there are clear and tangible benefits to the community or that the community government's jurisdiction or authority over an area outside a continuous area is necessary.

(iii) Access

Land within a community boundary should be relatively accessible both to the general public and to the community government in the usual conduct of its responsibilities.

(b) Specific Criteria

Boundaries should include sufficient land:

- (i) to encompass the projected expansion requirements of the community for a minimum of 20 years and a maximum of 30 years;
- (ii) to encompass the community water supply;
- (iii) to encompass the waste disposal areas;
- (iv) to encompass, if possible, resource areas sufficient to provide a 20 year supply of granular material for the community;
- (v) to encompass existing or proposed highways providing access to the community;



- (vi) to encompass community airstrips and docking areas;
- (vii) to encompass areas contiguous to the community that are actively utilized by the community on a continuous seasonal basis for recreational or other purposes and which have property development implications; and
- (viii) to encompass areas unique to a community on a case by case basis and which may be required by a community in the conduct of its responsibilities.

(2) Applications

- (a) Requests for the establishment of a new boundary or the revision of an existing boundary are to be submitted to the Minister.
- (b) In accordance with the *Charter Communities Act*, the *Cities, Towns and Villages Act*, the *Hamlets Act* or the *Settlements Act*, as applicable, requests for the establishment of a new boundary should be in writing accompanied by a request for incorporation. Requests for the revision of a boundary should be in writing, indicating the approval of the community government and accompanied by a map showing the proposed revision.

7. Prerogative of the Executive Council

Nothing in this Policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or take action respecting the establishment or revision of community boundaries outside the provisions of this Policy.

Premier and Chairman of the
Executive Council