



Province of Alberta

IRRIGATION DISTRICTS ACT

IRRIGATION GENERAL REGULATION

Alberta Regulation 78/2000

With amendments up to and including Alberta Regulation 169/2012

Office Consolidation

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(Consolidated up to 169/2012)

ALBERTA REGULATION 78/2000
Irrigation Districts Act
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Definition

1 For the purpose of section 7 of the Act, “investment” means the sum of the following:

- (a) the amount of money a district has lent or proposes to lend to a commercial activity;
- (b) the principal plus outstanding interest that a district has guaranteed or proposes to guarantee to a third party respecting a commercial activity;
- (c) the value of shares or other securities that a district purchases or proposes to purchase in a commercial activity which results in the district owning all or part of the commercial activity.

Debt limit

2 For the purpose of calculating the debt limit of a district under section 44(2) of the Act,

- (a) “debt” means the sum of the following:
 - (i) the principal amount outstanding on loans borrowed directly by the district,

- (ii) the principal outstanding on any loans in good standing to third parties guaranteed by the district, and
- (iii) the amount that the district is liable to pay on guaranteed loans that are not in good standing,

less the amount the district is entitled to recover from another district;

- (b) “debt limit” means 1.5 times the revenue of a district where revenue equals the total revenue in the last audited financial statement less transfers from the Government of Alberta or the Government of Canada reported in the audited financial statement if those transfers are included in the total revenue.

Relocation of irrigation works

3(1) For the purpose of section 10 of the Act, “relocate irrigation works” means that the irrigation works are being

- (a) constructed within a parcel where irrigation works do not exist,
- (b) constructed outside of the existing surveyed right-of-way or surveyed easement where the present irrigation works are located, or
- (c) constructed a distance that exceeds 30 metres from the present location of the irrigation works where a surveyed right-of-way or surveyed easement does not exist.

(2) Subsection (1) does not apply where

- (a) the relocation of irrigation works consists of constructing buried pipelines if, after construction, the land surface over the pipeline is returned to its natural condition,
- (b) the irrigation works to be constructed have a design water flow rate of less than 1 cubic metre per second,
- (c) a point of delivery is being relocated within the same parcel and the owner and district both agree to the change in point of delivery,
- (d) a district is performing normal maintenance, upgrading or repair of irrigation works in their present location,
- (e) an irrigation structure is being relocated to a new location on the existing irrigation works, or

- (f) the irrigation works to be constructed consist only of fencing.

Land classification standards

4(1) For the purposes of section 94(a) of the Act, the district must use the latest edition of “Standards for the Classification of Land for Irrigation in the Province of Alberta” approved by the Council and published by the Department.

(2) Notwithstanding subsection (1), land classifications that were made in accordance with previous editions of the standards referred to in that subsection may, with the Council’s approval, continue to be used for land assessment purposes.

AR 78/2000 s4;28/2003

Land assessment criteria

5(1) Acres that are classified as irrigable according to the land classification standards referred to in section 4 may be added to the assessment roll.

(2) Acres that are classified as non-irrigable according to the land classification standards referred to in section 4 may be added to the assessment roll if those acres comprise no more than 15% of the acres on the assessment roll for

- (a) the individual parcel, or
- (b) the land irrigated by an individual irrigation unit.

(3) Where a parcel was included on the assessment roll with irrigation acres in 1978, additional acres that have not been classified according to the land classification standards referred to in section 4 may be added to the assessment roll for that parcel, providing the total number of acres added after 1978 is less than 30% of the acres on the assessment roll in 1978.

(4) Where a parcel was added to the assessment roll after 1978, additional acres that have not been classified according to the land classification standards referred to in section 4 may be added to the assessment roll for that parcel, providing the total number of acres added is less than 30% of the acres on the assessment roll that are classified as irrigable according to the land classification standards.

(5) Where a parcel with acres that are being irrigated is not on the assessment roll or is not in the district, the district may correct the assessment roll or change the area of the district without classifying the land in accordance with the land classification standards referred to in section 4 if rates have been paid continuously on those acres since before 1978.

(6) Acres that have been on the assessment roll continuously since before 1978 as acres subject to a terminable agreement may be converted to irrigation acres without being classified according to the land classification standards referred to in section 4.

(7) Acres that are classified as irrigable according to the land classification standards referred to in section 4 may be included in an alternate parcel agreement.

(8) Acres that are classified as non-irrigable according to the land classification standards referred to in section 4 may be included in an alternate parcel agreement if those acres comprise no more than 15% of the total number of acres included in the alternate parcel agreement.

AR 78/2000 s5;28/2003;203/2003

List of complaints re assessment roll

6 The list of complaints referred to in section 109 of the Act must be posted at the office of the district at least 14 days in advance of the date set for the hearing of the complaint by the assessment review board.

Service of billing notice

7 The billing notice referred to in section 130 of the Act must be given at least 30 days in advance of the date specified in the notice for payment of the amount owed.

Repeal

8(1) The *Extended Activity Regulation* (AR 312/90) is repealed.

(2) The *Interest Rate Regulation* (AR 372/84) is repealed.

Expiry

9 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2022.

AR 78/2000 s9;28/2003;169/2012



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