

DIFFERENCES IN CURRENT COMMUNITY GOVERNMENT STRUCTURES

Body and Authorities	Settlement Corporations	Charter Communities	Hamlets	Tlicho Community Governments	Cities, Towns and Villages	First Nations & Designated Authorities
LEGAL STATUS	Settlement Corporation under Settlements Act NOTE: Settlements are a name and boundary only with no corporate decision-making by elected councils.	Municipal Corporation established under <i>Charter Communities Act</i>	Municipal corporation established under <i>Hamlets Act</i>	Municipal corporation established under the <i>Tlicho Community Government Act</i> .	Municipal corporations established under <i>Cities, Towns and Villages Act</i>	Band on or off -Reserve – recognized by Minister for Indian Affairs Designated Authorities – NWT - Bands, primary authority in community to deliver municipal services
CRITERIA FOR STATUS	Ministerial decision based upon whether residents desire it and any other factors. Minister sets out duties for Council.	Public request with minimum of 25 persons eligible to vote or Minister's initiative. 90 days public notice. Public vote on Charter status with 60% approval.	Public request with minimum of 25 persons eligible to vote or Minister's initiative. 90 days public notice.	As agreed to in the Tlicho agreement between the Tlicho Government, the Government of the Northwest Territories and the Government of Canada.	Council request or Minister's initiative and minimum assessment base. 90 days public notice.	Band through application of <i>Indian Act</i> . Land Claim or Self Government by Act of Parliament.
ESTABLISHMENT	By Minister's Order, after consultation	By Minister's Order & Charter after consultation.	By Minister's Order	By agreement of the parties and amendment to the <i>Tlicho Community Government Act</i>	By Minister's Order	Claimant groups established by Act of Federal Cabinet. Self-government agreements by Act of Parliament.
LANDS	Administered by Commissioner's Agent – Municipal and Community Affairs. Cannot acquire or dispose of lands/real property.	Generally lands within municipal boundary – except lands set aside for Indians. Commissioner's Land available for public transfer to Chartered Community.	Generally lands within municipal boundary – Commissioner's Lands available for public transfer to Hamlet.	All community lands transferred to community governments to manage on Effective Date.	Generally lands within municipal boundary – Commissioner's Lands available for public transfer to Cities, Towns or Villages.	Lands set aside for Indians in municipalities OR reserve lands under Indian Act OR lands set aside by Act of Parliament under self-government agreement or land claim. May effectively advise on disposal of Commissioner's Lands

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TAXATION	Property taxes paid to GNWT. No option to become a taxing authority- not considered in legislation because of size and lack of bylaw making authority.	Property taxes paid to GNWT. Option to become Municipal Taxing Authority - No taxing Charter Communities at present. Minister may declare community tax-based.	Property taxes paid to GNWT. Option to become Municipal Taxing Authority. - No taxing Hamlets at present. Minister may declare community tax-based.	The <i>Tlicho Act</i> gives the Community Governments the option to exercise rights of property taxation if they so choose.	Municipal Taxing authorities. Assessments contracted to and conducted by GNWT. Municipal Mill Rate Bylaw passed by all communities. Education mill rates set by GNWT, except Yellowknife. Collections of municipal and education taxes. Some collection costs kept by taxing authority for education taxes.	<i>Indian Act</i> allows taxation of reserve. Claimant group may negotiate various taxation authorities. Leaseholds may be taxable. Certain lands may be open for sale after a specified term. Federal Government provides payment to GNWT or municipalities on IAB lands.
FINANCIAL AUTHORITY	Budgeting, banking, charges for service delivery. No lending, borrowing or making grants permitted	Extended authority to manage money on year to year, or long-term planning cycle. Extended investment authority. Extended ability to borrow on long-term basis- limits set by regulation.	Extended authority to manage money on year to year or long-term planning cycle. Extended investment authority. Extended ability to borrow on long-term basis – limits set by regulation.	Extended authority to manage money on year to year or long-term planning cycle. Extended investment authority. Extended ability to borrow on long-term basis- limits set by regulation.	Extended authority to manage money on year to year or long-term planning cycle. Extended investment authority. Extended ability to borrow on long-term basis- limits set by regulation.	Bands - Budgeting, banking, charges for services, short term borrowing. Long-term borrowing restricted to areas where federal government guarantees lending. Self-Government - Borrowing permitted through agreements- provision for unalienable lands.

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BYLAW MAKING AUTHORITY	No bylaw making authority. Council conducts business by resolutions. GNWT may act upon resolutions, which may mean the enforcement of Territorial enactments within the boundaries. e.g. ATV & Dog Act	Full bylaw authorities within spheres of jurisdiction pursuant to <i>Charter Communities Act</i> . May be directed by Charter to provide for further consultation with community groups. Bylaws apply to all persons.	Full bylaw authorities within spheres of jurisdiction pursuant to <i>Hamlets Act</i> . Bylaws apply to all persons.	Full bylaw authorities within spheres of jurisdiction pursuant to <i>Tlicho Community Government Act</i> . Bylaws apply to all persons. Some Bylaw authority beyond ordinary municipal jurisdiction, given in the Tlicho agreement.	Full bylaw authorities within spheres of jurisdiction pursuant to <i>Cities, Towns and Villages Act</i> . Bylaws apply to all persons.	Band-off reserve - band governance by resolution Reserves – bylaw authority under <i>Indian Act</i> -similar municipal powers Self government - authorities negotiated by self-government agreement in public government or aboriginal government establishment.
ELECTIONS	Unless set by Establishment Order, elections held the 2 nd Monday in December. Chairperson selected from elected members.	Set by Establishment Order. First Nation Elections may precede Charter Elections. Head of First Nation and specified number of councillors sit on Charter. Option of 2 or 3 year terms with staggering option.	Held 2 nd Monday in December. Option of 2 or 3 year terms with staggering option.	First election held June 13, 2005. Four year terms. Subsequent elections held 3 rd Monday in June.	Held 3 rd Monday in October. Option of 2 or 3 year terms with term staggering option.	Set by Band Resolution. All Bands in NWT set own custom election practices. None follow <i>Indian Act</i> .
FINANCIAL RESOURCES	Water/sewage services subsidy funding. Formula funding for other services based on population, cost of living and infrastructure indicators. Restricted Capital Funding.	Water/sewage services subsidy funding. Formula funding for other services based on population, cost of living and infrastructure indicators. Capital Funding.	Water/sewage services subsidy funding. Formula funding for other services based on population, cost of living and infrastructure indicators. Capital Funding.	Water/sewage services subsidy funding. Formula funding for other services based on population, cost of living and infrastructure indicators.	Water/sewage services subsidy funding. Capital Assistance for water & sewer infrastructure only. Grant In Lieu payments from GNWT/Canada. Property Taxation raises anywhere from 30 – 45% of budget needs.	Funded by Federal and GNWT Departments to deliver specific services and programs. MACA provides funding resources to provide municipal services. Water/sewage services subsidy funding. Formula funding for other services based on population, cost of living and infrastructure indicators. Restricted Capital Funding. Requires Not-for-Profit Corporation.

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LEADERSHIP	Chairman selected by elected members of council.	Charter determines leadership. Generally, the Chief of the First Nation Band is appointed to head the municipal corporate body.	Mayor and councillors on separate ballots, but candidates may run for both Mayor and council.	Chief and council on separate ballots. Councillor cannot run for Chief. Guaranteed minimum Tlicho citizen participation. Seats remain vacant until regular or by-election. Ties settled in run-off elections.	Mayor elected separately. Candidates cannot run for Mayor and Councillor.	Chief usually elected separately but may be selected by councillors after band election.
DELEGATING/ AGREEMENTS/ ECONOMIC DEVELOPMENT	N/A	Establish Services, utilities, facilities. Boards or Commissions Enter agency agreements. Delegation agreements. Establish municipal businesses & encourage economic development.	Establish Services, utilities, facilities. Boards or Commissions Enter agency agreements. Delegation agreements. Establish municipal businesses & encourage economic development.	Establish Services, utilities, facilities. Boards or Commissions Enter agency agreements. Delegation agreements. Encourage economic development, but cannot establish municipal businesses.	Establish Services, utilities, facilities. Boards or Commissions Enter agency agreements. Delegation agreements. Establish municipal businesses & encourage economic development.	May enter into agreements with 3 rd parties for work/training/impact resources.