



Province of Alberta

## MUNICIPAL GOVERNMENT ACT

# **CANMORE UNDERMINING EXEMPTION FROM LIABILITY REGULATION**

### **Alberta Regulation 113/1997**

With amendments up to and including Alberta Regulation 221/2004

### Office Consolidation

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### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 221/2004)

**ALBERTA REGULATION 113/97**

**Municipal Government Act**

**CANMORE UNDERMINING EXEMPTION  
FROM LIABILITY REGULATION**

**Definitions**

**1** In this Regulation,

- (a) “Canmore” means The Town of Canmore;
- (b) “Canmore’s agents” means
  - (i) Canmore’s councillors, chief administrative officer, designated officers and employees,
  - (ii) members of Canmore’s council committees, and
  - (iii) a volunteer member of a fire ambulance service or emergency measures organization established by Canmore or any other volunteer performing duties under the direction of Canmore;
- (c) “designated land” means designated land as defined in the *Canmore Undermining Review Regulation*;
- (d) “development” means development as defined in section 616(b) of the *Municipal Government Act* by a person other than Canmore or Canmore’s agents;
- (e) “undermining and related conditions” means the presence of coal and methane gas and any abandoned opening or excavation in, or working of, the surface or subsurface for the purpose of working, recovering, opening up or proving any coal, coal-bearing substance or methane gas, and includes abandoned works, waste piles and machinery at or below the surface belonging to or used in connection with any or all of the openings, excavations or workings.

AR 113/97 s1;221/2004

**Exemption from liability**

**2** Canmore and Canmore’s agents are not liable for any loss or damage

- (a) that arises during development on the designated land or that arises from the use of the designated land as a result of development on the designated land, and
- (b) that is directly or indirectly caused by undermining and related conditions in respect of the designated land.









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