

CONSOLIDATION OF AREA DEVELOPMENT ACT
R.S.N.W.T. 1988,c.A-8

(Current to: June 3, 2011)

AS AMENDED BY:

S.Nu. 2010,c.4,s.5

s.5 in force March 23, 2010

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Any certified Bills not yet included in the Annual Volumes of the Statutes of Nunavut can be obtained through the Office of the Clerk of the Legislative Assembly.

Territorial Printer
Legislation Division
Department of Justice
Government of Nunavut
P.O. Box 1000, Station 550
Iqaluit, NU X0A 0H0

Tel.: (867) 975-6305
Fax: (867) 975-6189
Email: Territorial.Printer@gov.nu.ca

GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

- c. means "chapter".
- CIF means "comes into force".
- NIF means "not in force".
- s. means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
- Sch. means "schedule".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.*)
- SI-012-2003 means the instrument registered as SI-012-2003 in 2003. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

- R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the *Revised Statutes of the Northwest Territories, 1988*.
- R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the Northwest Territories, 1988*. (*Note: The Supplement is in three volumes.*)
- S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
- S.Nu. 2002,c.14 means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

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AREA DEVELOPMENT ACT

Definitions

1. In this Act,

"development area" means an area designated as a development area under subsection 2(1); (*région d'aménagement*)

"officer" means a person appointed as an officer under subsection 4(1). (*agent*)

Designation of development area

2. (1) The Minister may designate any area in the Nunavut as a development area where the Minister considers that it will be necessary in the public interest to regulate the orderly development of the area, as contemplated by this Act.

Maximum area

(2) An area designated under subsection (1) on or after February 15, 1979, must not exceed 150 km² of land, and the straight line joining any two points on the perimeter must not exceed 30 km. S.Nu. 2010,c.4,s.5(2),(3)(a).

Order to remedy default

3. (1) Where by regulation or by order of an officer a certain matter or thing is directed to be done and is not done or a certain matter or thing is directed to be not done and is done by a person, the Minister, officer or person authorized by the Minister may order the person who is in default to remedy the default.

Failure to comply with order

(2) Where a person fails to comply with an order made under subsection (1) within 30 days after the day on which the order is served on the person or mailed to the person by registered mail at the person's last known address, the Minister, officer or person authorized by the Minister may

- (a) take such action as the Minister, officer or person authorized by the Minister, as the case may be, sees fit to have the default remedied; and
- (b) recover from the person the expenses of the action with costs of the action in any court of competent jurisdiction.

Action to remedy default

(3) The action taken by the Minister, officer or person authorized by the Minister to have a default remedied may include the destruction, alteration or removal of buildings or structures or portions of buildings or structures. S.Nu. 2010,c.4,s.5(3)(b).

Appointment of officers

4. (1) The Minister may appoint one or more officers for the purpose of administering and enforcing this Act and the regulations.

Power to make orders

(2) An officer may make such orders as are necessary for carrying out the provisions of this Act and the regulations. S.Nu. 2010,c.4,s.5(3)(c).

Offence and punishment

5. Every person who contravenes this Act or the regulations or any order made under this Act or the regulations is guilty of an offence and liable on summary conviction to a fine not exceeding \$200.

Regulations

6. On the recommendation of the Minister, the Commissioner may make regulations for the orderly development of a development area and, for greater certainty, but not so as to limit the generality of this power to make regulations, may make regulations respecting

- (a) the zoning of the development area, including the allocation of land in the area for agricultural, residential, business, industrial, educational, public or other purposes, and the regulation and prohibition of businesses in the area;
- (b) the regulation or prohibition of the erection, maintenance, alteration, repair or removal of buildings;
- (c) streets, roads, lanes, sidewalks, parks, street lighting and street transit;
- (d) public health, including
 - (i) the supply, treatment and purification of water,
 - (ii) the collection and disposal of garbage and sewage,
 - (iii) hospitals, and
 - (iv) the burial of destitute persons;
- (e) fire protection;
- (f) animals; and
- (g) the regulation or the prohibition of the discharge of guns or other firearms within a development area.