

LOCAL GOVERNMENT IN GREATER
CORNER BROOK, NEWFOUNDLAND

A Thesis

by:

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P R E F A C E

The writer's interest in the subject of local government in Greater Corner Brook, Newfoundland, stems largely from the opportunities afforded him of visiting the area during 1953 and 1954 when he undertook a survey of the problems of local government for the Humber Municipal Association, a body composed of representatives of the municipal governments in the area.

This first hand contact with the problems of local government in Greater Corner Brook provided an excellent basis for the eventual development of this thesis on the general problem of local government and administration in the area. The writer, therefore, must acknowledge his debt to the municipal officials of Corner Brook municipalities and representatives of the Government of the Province of Newfoundland for furnishing him with much valuable information with respect to the development of local government in Corner Brook and throughout the Province of Newfoundland. Without their co-operation his own work in the area would have been difficult and the eventual production of this thesis would have been impossible. Acknowledgement is also made of the help provided by the Canadian Federation of Mayors and Municipalities, Montreal, through the use of their municipal library facilities and information files.

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I. INTRODUCTION

Well over one hundred years have passed since Lord Durham deplored the inadequate development of municipal institutions in what were then the colonies of Upper and Lower Canada. In his celebrated Report (1) he advocated the creation of effective units of local government as a necessary support for the successful establishment of responsible government in the colonies.

Until the middle of the 19th century there were few municipal institutions which were subject to the control of local residents. For the most part local communities were ruled and controlled by appointees of the various colonial governments - - usually the magistrates who met in legal Sessions. In 1764, Courts of Quarter Sessions had been established for each large county or district into which the colonies of Upper and Lower Canada had been divided. These Courts, which were composed of the Justices of the Peace of each of the counties or districts, had limited legislative and administrative as well as judicial functions:

"They regulated the matter of domestic animals running at large, the conduct of licensed taverns, the appointment of minor officials, and the laying out and superintending of highways. As the population continued to increase, and the problems demanding local decision multiplied, more and more powers for the management of local affairs were added to the duties of the Court, for so long as there was not alternative provision for local government, the Court remained the only medium by which such matter could be handled.

(1) Report on the Affairs of British North America from the Earl of Durham, February, 1839.

Over the years they were empowered to erect and manage court houses, gaols, and asylums, to lay out and improve highways, to make assessments for and to pay for the wages of members of the House of Assembly, to make regulations to prevent accidental fires, to appoint district or township constables, to fix the fees of gaolers, town or parish clerks, and pound keepers, to appoint street and highway surveyors and inspectors of weights and measures, to regulate ferries, to establish and regulate markets in certain towns, to grant certificates to sell liquor, and to permit dissenting clergy to solemnize marriages. These district courts, composed of appointed magistrates, continued to exercise local government functions, limited somewhat in a few of the towns, until 1841." (2)

This method of administering purely local functions left little, if any, room for local self-rule. The residents of local communities had virtually no voice in determining local policies and how they should be administered. This whole scheme of local government by Quarter Session was, of course, contrary to the principle of local self-government as Lord Durham understood it. Self-governing or democratic municipal institutions would have permitted local residents to accept the responsibility for local affairs and to determine how these matters should be administered. In other words, local government would be conducted in accordance with the wishes and needs of local residents and the responsibility for governing would be vested in the people of the community. To Lord Durham local self-governing municipal institutions served as an invaluable means of permitting citizens to understand and exercise the responsibilities of democratic government.

The system of local government by Quarter Sessions eventually proved inadequate and when this occurred there developed a demand for reform:

(2) Crawford, K.G., Canadian Municipal Government, (University of Toronto Press, Toronto) 1954, pp. 23-24.

"As might have been expected, abuses crept in. Although people paid large amounts in local taxes, they had no control over those who levied the taxes and spent the money. While the Justices were usually from the local areas they served, they were appointed by the governing groups who, naturally, had their favourites. Even Justices of 'Education and Refinement' often did not appreciate the common man's needs and desires. And as the population grew and spread, requiring more appointments, it became increasingly hard to find such Justices. Where the governing groups could find no one to fit their ideas of education and refinement, they delayed making appointments, sometimes indefinitely. As a result, not only the quality but also the number of Justices became inadequate. In Upper Canada (now Ontario) the situation became so bad that in many areas the business of local government was simply left undone. It is small wonder, then, that the pressure for reform became strongest in this colony." (3)

Largely because of increased population the problems of some of the towns and villages of Upper Canada became so pressing that the powers of the Quarter Sessions in such communities were transferred in the 1830's to representative bodies called Boards of Police. The members of these Boards were elected by vote of the male resident householders. Boards of Police were given extensive powers of legislation dealing with the appointment of town officers, assessments, purchase of real property for town purposes, the establishment of fire companies, and the provision of water supply. (4)

(3) Rowat, D.C. Your Local Government, (The MacMillan Company of Canada, Toronto), 1955, p. 5.

(4) Boards of Police were established in Brockville in 1832, Hamilton in 1833, Cornwall, Port Hope, Prescott and Belleville in 1834, and Cobourg and Picton in 1837.

During this period some of the larger communities were incorporated as towns and cities by special Acts (5). The government of these incorporated municipalities was vested in a Mayor and Council elected by the residents. As a rule these municipal bodies were given more extensive powers than the Boards of Police. Thus a measure of local self-government had evolved, although confined almost entirely to the larger urban communities.

In 1849 a uniform system of municipal government institutions for the whole of Upper Canada was achieved with the passage of the Municipal Act (6) by the United Parliament of Upper and Lower Canada. Introduced by Robert Baldwin and commonly known as the Baldwin Act it established the framework of the municipal system as it now exists in the Province of Ontario, although numerous amendments have been added during the intervening years to meet changing conditions.

There is little doubt that the Municipal Act of 1849 stands as one of the most important landmarks in the development of local government in the Province of Ontario. "Within the scope allowed, and the scope was extensive," writes one observer, "the municipalities had gained the right to local self-government with a minimum of parliamentary or executive control,

(5) Toronto was incorporated in 1834, Kingston in 1838, Cornwall and Hamilton in 1846, Bytown, London, Dundas and Brantford in 1847.

(6) 12 Vict., C.81. This Act was introduced by Baldwin as an Act "to provide by one general law for the erection of Municipal Corporations and the Establishment of Regulations of Police, in and for the several counties, cities, towns, townships and villages in Upper Canada." See Aitchison, J.H., "The Municipal Corporations Act of 1849", Canadian Historical Review, June 1949.

the elected representatives being answerable in matters of policy to their electors and in matters of law to the law courts." (7)

The Municipal Act of 1848 also had a significant influence upon the later development of local self-government in other provinces. "Never," writes C. R. W. Biggar, "had the principle of local self-government been more fully carried out than in the Act of 1848...the Baldwin Act and its lineal descendants have in their turn become the progenitors and paradigms of the Municipal Institutions Acts in force today in nearly every Province of the Dominion." (8)

To a large degree the need for municipal institutions became much more apparent as urban communities developed. Thus, in Lower Canada as early as 1830 the Assembly in Quebec was informed of "the deplorable conditions resulting from the lack of municipal institutions." (9) Lord Durham, too, drew particular attention to the conditions existing in Quebec and Montreal:

"....The want of municipal institutions has been and is most glaringly remarkable in Quebec and Montreal. These cities were incorporated a few years ago by a temporary provincial Act, of which the renewal was rejected in 1836. Since that time these cities have been without any municipal government and the disgraceful state of the streets, and the utter absence of lighting, are consequences which arrest the attention of all and seriously affect the comfort and security of the inhabitants." (10)

(7) Crawford, op. cit., p. 32.

(8) Quoted in Ibid, p. 33.

(9) Ibid, p. 32.

(10) Report on the Affairs of British North America from the Earl of Durham, p. 41.

Subsequent attempts to establish municipal institutions in Lower Canada did not prove popular. A major reason for this lack of enthusiasm in Lower Canada undoubtedly was the inexperience of the residents in the practice of local government. Municipal institutions were relatively unknown to the French-speaking inhabitants and, as a consequence, they expressed few complaints over the fact that they had not been established.

Because municipal government units were given the power to levy local taxes to finance their operations and to carry out community improvements, this helped to make residents of Lower Canada suspicious of early attempts to establish municipal institutions. The imposition of local taxes had been unknown in Lower Canada for many years and most government operations were financed from customs duties. Despite the early resistance to and suspicion of the establishment of municipal institutions, Lower Canada eventually evolved a system of local government after a period of experimentation. (11)

Despite the advances in Ontario and the gradual breakdown of

(11) Crawford, op.cit., p. 36: "The development of municipal institutions in Lower Canada was hindered by the lack of any popular demand for local government, particularly in the rural areas, by the lack of experience on the part of the inhabitants in the practice of local government, and by a suspicion of any innovation of the English minority. The tension existing between the French and English was intensified following the events of 1837 just at the time when the demand for municipal institutions in Upper Canada made it expedient to make similar provisions in Lower Canada. These factors, in part, explain the frequent changes in the systems which were necessary to arrive at a form acceptable to the people and, as experience has demonstrated, suitable to the conditions of Lower Canada."

resistance to local government in Quebec, by the time of Confederation in 1867 "only rudimentary municipal organization existed outside of Ontario and, in spite of the hope of the Fathers of Confederation that local government would develop quickly in the other provinces and assume some of the burdens of the financially over-loaded provincial governments, growth, particularly in the Maritimes, was very slow." (12)

While the growth of municipal institutions lagged during the early post-Confederation years, the development of transportation, the opening of the western lands, and the accompanying stimulation of economic life encouraged urban settlement and, consequently, made more apparent the need for municipal institutions. Thus, by the turn of the century, a large part of the settled portion of Canada had been municipally organized. By 1907 there were even "sporadic complaints about the unwieldly character of existing systems." (13)

Municipal government, at the beginning of this century, had therefore become a familiar institution to many Canadians, so much so that its novelty had worn off and complaints were registered with the hope of bringing about improvements in some of the early structures. The subsequent growth and development of municipal governments in Canada is quantitatively revealed in Table I on page 8.

(12) Report of The Royal Commission on Dominion-Provincial Relations, Book II, Recommendations, p. 137.

(13) Brittain, H.L., Local Government in Canada, (The Ryerson Press, Toronto), 1951, p. 19.

Table 1

MUNICIPALITIES, BY TYPE OF ORGANIZATION AND BY PROVINCES, 1951 (a)

Provinces	Cities	Towns	Villages	Total Urban
	No.	No.	No.	No.
Newfoundland	1	30 ⁽¹⁾	-	31
Prince Edward Island	1	7	-	8
Nova Scotia	2	40	-	42
New Brunswick	3	19	4	26
Quebec	34	132	331	497
Ontario	29	149	155	333
Manitoba	4	33	37	74
Saskatchewan	8	90	388	486
Alberta	7	69	140	216
British Columbia	35	-	41	76
TOTALS	124	569	1,096	1,789
(a) Source: Canada Year Book, 1952-53 (Queen's Printer, Ottawa)				
(1) Includes 26 towns and 4 rural districts				

Municipal institutions have evolved from a position of relative obscurity at the time of Confederation to the point where they are now familiar to the greater number of Canadian citizens. In fact, municipal government presently constitutes an important third tier in Canada's federal constitutional system. (14)

While municipal government is firmly established throughout most of the settled areas of Canada, it is not by any means a uniform system either as to the form of governmental organization adopted or the powers and responsibilities conferred upon the municipal corporation. This diversity of structure and scope of responsibilities discharged, a distinguishing feature of Canadian municipal government, is in part due to the constitutional position of municipal government in Canada. Section 92 of the British North America Act provided that "municipal institutions in the province" and "generally all matters of a merely private and local nature in the province" were matters of provincial jurisdiction. Consequently, local government institutions have developed within the framework of legislation established in each province. This has meant in practice that there can be as many systems of municipal government as there are provinces.

Partly as the result of widespread disparity in the economic development and population growth of the provinces the establishment of municipal institutions has proceeded along different lines in each province.

(14) Municipal governments do not, however, enjoy an independent and separate constitutional existence. They are legally the constitutional creatures of the respective provinces and exercise only those powers delegated by the province.

The differences which have existed between the different provinces with respect to economic resources from the time of Confederation find their reflection in the distribution of provincial and municipal functions in each province. The wealthier provinces were thus able to develop municipal institutions earlier because of the ability of their residents to support the heavier tax load resulting from the establishment of municipal government. As well, the nature of the geographical dispersal of population influenced municipal development. Thus, in the Prairie Provinces, where farming operations and settlement was widespread, a checkerboard municipal system was extended over virtually the whole of the occupied area. On the other hand, only about one-half of one per cent of the area of British Columbia (containing 75 per cent of the population) has been municipally organized, due in large measure to the localization of resources and physical peculiarities of the province. It was, therefore, "from these diverse circumstances, and accidents of time and place, that the present heteronecus collection of municipal systems arose." (15)

Despite the apparent differences in the historical development of the municipal systems of each province, it is, nevertheless, possible to speak of the general development of municipal government in Canada. The differences which exist between the various provincial municipal systems are more in degree than in kind. (16)

(15) Report of The Royal Commission on Dominion-Provincial Relations, 1940, Book II, (Queen's Printer, Ottawa), p. 137.

(16) For a brief sketch of the provincial municipal systems see "Municipal and Intergovernmental Finance, 1930-1951", (Canadian Federation of Mayors and Municipalities, Mount Royal Hotel, Montreal, Que., pp. 3 - 4.

Basically, the municipal governments in each province have to deal with similar problems and furnish more or less the same services to the citizens they serve. Moreover, in the field of taxation the real property tax has evolved as the principal means of financing local government services in every province. Locally controlled municipal institutions as a means of administering local services are an accepted and established feature of the constitutional landscape of nine provinces.

Local Government in Newfoundland

Municipal institutions in the tenth Province of Newfoundland have been, however, until recently, relatively undeveloped in comparison to the other provinces of Canada. Until 1938 the only incorporated municipality in the Province was the capital city of St. John's. In that year the second municipality was incorporated following the passage of the Local Administration Act, 1937. A third municipality was incorporated in 1942 and a fourth in 1943. From 1945 to 1952 over thirty additional municipalities were established. (17)

The absence of organized municipalities through most of Newfoundland's history meant that the responsibility for the provision of municipal services had to be assumed by the central government. When Newfoundland entered Confederation in 1949, this tradition of central government responsibility for the provision of municipal services was

(17) The Listening Post, (Canadian Federation of Mayors and Municipalities, Mount Royal Hotel, Montreal, Que., February 1954, p. 3.

inherited by the new provincial government.

Excluding Labrador, the population of the province was 322,000 in 1949. Of this number, 81,000 people or one-quarter of the province's total population, resided in organized municipalities. Some 50,000, or more than one-half, resided in the City of St. John's.

It is apparent, therefore, that the Province of Newfoundland lags considerably behind the other provinces of Canada in the development of municipal institutions. Moreover, this lag in the establishment of municipal organization in that province means that the tradition of local self-government is relatively unfamiliar to the majority of the residents of the province. Even in areas where municipal corporations have been established these have not been in existence long enough to produce the same degree of familiarity and understanding with their operation and function as exists in the rest of Canada.

The tradition of central government responsibility for all governmental services coupled with the lack of local municipal institutions has produced several pressing problems with respect to certain basic services which in most parts of Canada are normally the complete responsibility of local residents. Sanitation services have been inadequately developed and in 1949 only six towns had water systems and only three possessed sanitary sewers. A provincial government official described sanitary conditions in Newfoundland in the following terms:

"It is common practice for garbage and refuse to be thrown in street drains and gutters. The usual source of drinking water is still the well, while privies and septic tanks are

the rule rather than the exception.... Wells and sanitary privies served adequately in the past, but an increase in population has resulted in subdivision of the lands so that privies and wells are now being constructed closer together." (18)

Health and hospital service, the cost of which is normally borne in part at least in most municipalities, is entirely a provincial government responsibility in Newfoundland. Similarly, in the field of education the financing of school construction and administration is borne almost entirely from the general revenues of the province.

Lack of municipal organization has made it difficult, if not impossible, to control building. Describing the difficulties resulting from the absence of control over building, the Deputy Minister of Municipal Affairs said:

"Buildings have been erected on sites to suit the convenience of the owner with a total disregard for the rights of the public. Separate business and residential sections are practically unknown. Roads have been built on footpaths which wander in and out among the dwellings. The result is settlements which are quaint and picturesque to the eye of the tourist, but this quaintness and picturesqueness create tremendous problems for the provincial government and the newly organized municipal councils because increased motor traffic requires wider and straighter roads." (19)

Increased motor traffic also requires traffic regulations and without organized municipalities, traffic regulation poses an almost insoluble problem for the Provincial Government. A detailed knowledge of local conditions is essential for the formulation of effective regulations. As well,

(18) Powell, C.W. "Problems Arising from the Lack of Organized Municipalities in the Province of Newfoundland", Proceedings, First Annual Conference of the Institute of Public Administration of Canada, Toronto, 1949, p. 175

(19) Ibid, p. 179.

there must be a means of enforcing them. The requisite knowledge and an effective means of enforcement can hardly be provided in the absence of organized municipalities. (20)

The lack of control over building has also created a difficult problem in fire prevention. Not only are buildings erected without regard to an orderly and well-planned community, but fire hazards are created by lack of control over construction methods and materials. Outside the organized municipalities and three or four company-owned towns, fire prevention is almost unknown in Newfoundland.

It would appear that the obvious answer to these problems is to hasten the development of strong and effective municipal institutions throughout the province. Indeed, to a considerable extent, this is being done.

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- (20) The police power in Newfoundland is entirely a provincial responsibility. Prior to Confederation in 1949 all police duties of both a provincial and local nature were carried out by a police force known as the "Newfoundland Rangers". This force was under the jurisdiction of the Commission Government of Newfoundland. After Confederation the force was disbanded and many of its members absorbed into the R.C.M.P. which, under contractual arrangements with the provincial government, now carries out all police duties of both a provincial and municipal nature. The entire cost is absorbed by the provincial government. Similar arrangements have been worked out in other provinces with the exception that contractual arrangements between a province and the R.C.M.P. are solely concerned with the provincial police powers for local police powers have been delegated to municipalities. Frequently, in those provinces where the R.C.M.P. acts as the provincial police force under contractual arrangements with the provincial government, the R.C.M.P. may also act as the municipal police force in many small municipalities. However, this is the result of a separate contractual arrangement between the R.C.M.P. and the municipality and the cost is not borne by the province. Newfoundland municipalities cannot enter into a contractual arrangement of this kind because local police power has not been delegated to them.

The growth of incorporated municipalities, particularly since 1945, has been exceedingly rapid. However, the formal creation of a municipal corporation does not necessarily mean that an effective, working public authority has thereby been created. At least not immediately. People unfamiliar with the techniques of municipal administration and lacking a tradition of local government will inevitably require time to develop familiarity with the art of local self-government. The Newfoundlander's dread of property taxes and his long acquaintance with Provincial Government responsibility for local services has also helped to impede acceptance of local responsibility for what are normally considered purely local services. The significance of these two factors cannot be overlooked, as the following commentary by an experienced Newfoundland public administrator indicates:

"...There is the firm and continuing conviction that the Provincial Government is responsible for local services and, secondly, there is the almost fanatic dread of real property taxes. The first stems from the fact that Newfoundland governments of the past assumed full responsibility for local services because there were no municipalities to assume them. For example, all public roads except those in the City of St. John's were built by the Newfoundland Government - - many of them as relief measures to supplement the income from the fisheries in bad years. This applies not only to roads that connected one settlement to another, but also to local roads within the settlements themselves. Because the Newfoundland Government has provided for such a long time not only roads, but also health, education, police protection against fire and even public wells, it is now firmly established in the minds of Newfoundlanders that the Provincial Government is solely responsible for these things.

Had these services been provided by municipalities, the inhabitants would have learned to regard property taxes in their true light; as it is, property taxes are regarded as a diabolical plot to rob the owner of his property.

To understand this fear of property taxes, it must be recalled that until the year 1824 it was the policy of Great

Britain to prevent settlement in the island in order to maintain the virtual monopoly of the West Country merchants of England who sent schooners to Newfoundland every year to fish. It was thought that a fishery which was carried on by schooners that came out in the spring and returned in the fall would provide an excellent training ground for the Naval Service should men be required in an emergency, whereas a fishery carried on by settlers would not provide this training and, in any event, even if it should, the settlers would not be available for Naval Service if they should be required.

It was only after a long and bitter struggle that the right to own property was won and, once won, it was jealously guarded. It must be remembered also that land in our province is generally a strip of ground along by the waterfront from which the fishing operations are carried on. Anything that interferes with the right to own this property interferes with the fishery, anything that interferes with the fishery in Newfoundland is taboo.

Furthermore, a natural disposition against property taxes was increased by the confederation campaigns of both 1869 and 1948. In both of these campaigns, politicians argued that Confederation would mean municipal government; municipal government would mean property taxes, and property taxes would result in fishermen losing their boats, their nets and their land. Lists showing the taxes paid throughout the Maritimes were circulated together with extracts from Canadian newspapers relating to properties offered for sale because property taxes had not been paid. In the 1949 campaign, family allowances and old age pensions won over property taxes, but in no way diminished the power of property taxes to strike dread into the heart of the average Newfoundlander". (21)

The relative underdevelopment of municipal services has not remained static for in some areas, particularly where urbanization has been more rapid, significant improvements have occurred and old arguments have to some extent fallen before demands for a higher standard of urban existence.

(21) Powell, C.W. op.cit., pp. 171-172.

The geography and economy of the Province has, in the past, encouraged the distribution of the population in a large number of small, scattered settlements and hamlets. This was particularly evident when the economy was based primarily on the fishing industry. However, the rise of pulp and paper production as a major industry, together with the recent establishment of some small manufacturing industries, has resulted in a few, formerly small settlements, becoming relatively large population centres. A specific example of this development can be found in the Corner Brook area. The impetus to the growth of this area was provided largely by the operations of the Bowater's Newfoundland Pulp and Paper Corporation. The centre of the area was, and still is, the company-operated townsite of Corner Brook. However, as the Corporation's activities expanded and additional personnel were required, no corresponding increase in residential facilities occurred. As little or no housing was provided by the Company for new employees they built their own homes outside the boundaries of townsite with the result that in a short space of time considerable settlements developed on the east and west sides of the town.

The Corporation provided all usual municipal services of a fairly high quality in the Townsite but residents of the two new settlements were left to fend for themselves. Eventually the population of these communities exceeded that of the Townsite and in the crowded and chaotic conditions that resulted, it became apparent that the citizens themselves would have to make some effort to provide badly needed services as well as some measure of control over the development of the new area. (22) Logic demanded that these areas

(22) Goldenberg, H. Carl. Report on Municipal Administration and Services in the Greater Corner Brook Area of Newfoundland, April 1950, (mimeo.) pp. 17-21.

be incorporated as municipalities and in 1942 Corner Brook West was incorporated and in 1948 Corner Brook East became an organized municipality.

Incorporation of these two communities as organized municipalities simply provided the legal means for exercising local authority; it did not provide the physical facilities and the financial resources necessary to come to grips with the problem of municipal services in the area. The lack of a sense of public responsibility and the Newfoundlander's traditional dislike of property taxation made progress difficult at first. Nevertheless, property taxes and other local imposts were introduced but on a scale scarcely commensurate with the needs of the area. Moreover, it soon became apparent that the whole Corner Brook area was really facing a problem long familiar to urban centres in other parts of Canada, namely, the question of divided jurisdiction. Four municipalities (including the company Townsite) were, in fact, trying to govern effectively an area that is basically a single geographic, economic and social unit.

The succeeding chapters will therefore be devoted to an examination of this problem, together with an analysis of the measures considered necessary to establish an effective form of municipal government and administration in the area.

II. THE LOCAL GOVERNMENT PROBLEM IN THE GREATER CORNER BROOK

AREA OF NEWFOUNDLAND

The area known as Greater Corner Brook includes the towns already mentioned in the introductory chapter: Corner Brook East, Corner Brook West and the unincorporated company town of Corner Brook. The latter is the focal point of what is essentially a single community. There are no geographic barriers separating the three towns and economically the area is largely dependent upon a single industry -- Bowater's Newfoundland Pulp and Paper Mills Limited. The Town of Curling, too, must be considered as part of the area even though it is geographically separated from the main community by a stretch of about one mile of undeveloped territory.

Located on the west coast of Newfoundland where the Corner Brook empties into the Bay of the Humber River, the Corner Brook communities occupy an area of 20 square miles with a population of approximately 20,000 people. From an aesthetic point of view the area can be considered as providing a natural setting for urban development. Corner Brook is located in flat land in a valley with the towns of Corner Brook West and Corner Brook East stretching up the slopes. While this rugged scene offers spectacular views of mountain, sea and sky, land suitable for urban development is somewhat limited. (1)

(1) Bland, John and Spence-Sales, Harold. The Urban Development of Greater Corner Brook, Newfoundland, August 1951 (mimeographed) pp. 5-6.

The Corner Brook Communities

(a) Corner Brook West: Beginning as a small settlement on the western boundary of Corner Brook, the Town of Corner Brook West developed rapidly as the operations of the Bowater Company expanded and brought additional workers into the area. It now has a population of 8,500 located in an area of $3\frac{1}{2}$ sq. miles, thus making the town the largest municipality in the province next to the capital city of St. John's. Something of a "shack town" at first, its entire development is characterized by a complete lack of planning coupled with no attempt to control the location and type of buildings erected. "Shops and buildings", said an experienced municipal observer, "crowd each other on Broadway, the main street, in frontier fashion, while many homes have been erected indiscriminately on the side of the hill in areas which are almost inaccessible in the winter and which it would be very difficult to service with water and sewerage facilities. The streets and roads were not laid out and are steep and narrow." (2)

Corner Brook West is the most urbanized and undoubtedly the most congested part of the Greater Corner Brook area. The municipal services provided are extremely limited and cover primarily garbage collection, some road building and maintenance, street lighting, limited fire protection, and building and sanitary inspection. Approximately one quarter of the properties are provided with sewerage services and fewer still have access

(2) Goldenberg, op. cit., p. 6.

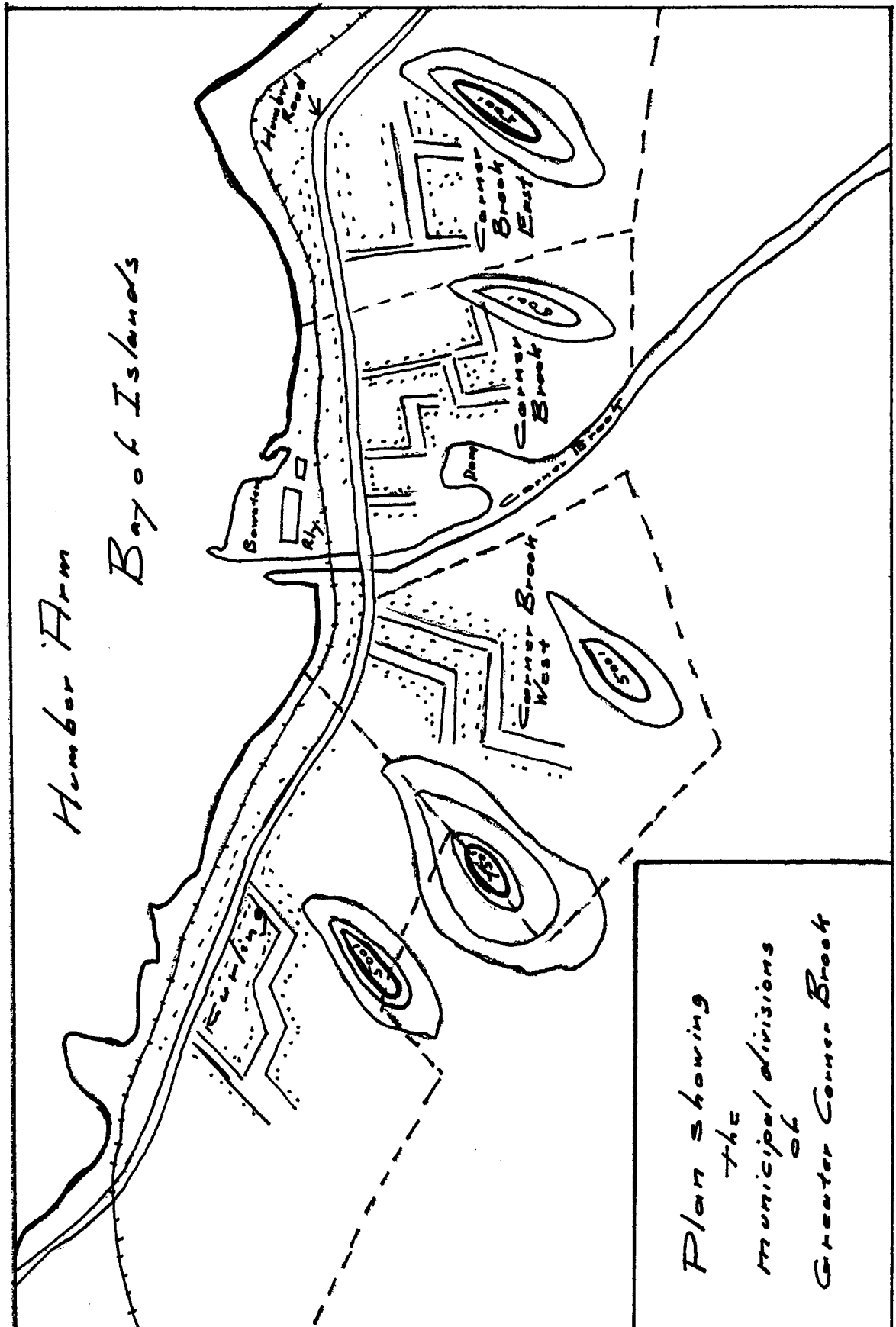
to the municipal water supply. Where these services are not provided privies and wells are used although the absence of adequate sanitary inspection threatens contamination of many wells. (3)

(b) Corner Brook East: While Corner Brook East is not as congested as its neighbour, Corner Brook West, many of its homes are difficult of access in the winter because they were built on hills. It, too, suffers from a complete absence of any attempt at planning or the control and regulation of building. Municipal services are limited and water and sewerage services virtually non-existent. It occupies an area of 690 acres and has a population of some 5,000 people.

(c) Curling: The Town of Curling is separated from Corner Brook by a mile-long, hilly stretch of undeveloped territory. It is one of the oldest settlements on the west coast of Newfoundland and at one time its residents depended principally on fishing for a livelihood. However, the decline of the fishing industry in recent years and the closing of the town's principal fish-packing plant coupled with the expansion of the Bowater's Company's operations has meant that the economy of the town has become more dependent upon the pulp and paper mill at Corner Brook.

The town occupies an area of $13\frac{1}{2}$ square miles and has a population of approximately 4,000 people. In contrast to the other

(3) Water and sewerage services will soon be provided for the entire area by the Water and Sewerage Corporation of Greater Corner Brook. The creation of this special municipal corporation is dealt with in this chapter.



communities its population is much more widely scattered. Consequently, the character of the town is, in many respects, much more rural than urban.

Curling was incorporated as a municipality in 1947 in the face of much opposition. Some residents are not yet completely reconciled to the idea of local self-government and, in fact, the residents of one sparsely settled section are specifically exempted from the payment of taxes imposed by the Town. However, no municipal services are provided to the residents of this area.

The Town has no water supply and sewerage services are not provided. Like the other communities already described the services furnished to residents of the Town are extremely limited.

(d) Corner Brook: Occupying an area of 1200 acres and with a population of 3,000 people, Corner Brook stands in marked contrast to its neighbours. The "Townsite", as it is referred to throughout the area, is a completely modern town in most respects. It is well-planned, and its development has been carefully controlled. Municipal services such as a water supply system, sewerage disposal facilities, fire protection, garbage collection, and paved streets and sidewalks are provided. In fact, the Townsite is the only one of the four communities where paved streets and sidewalks will be found. This careful planning and provision of adequate municipal services is entirely the result of Company administration and is not the product of citizen government.

Corner Brook is an unincorporated community and the entire

responsibility for the provision and maintenance of municipal services is vested in Bowater's Newfoundland Pulp and Paper Corporation. The Company administers the Townsite under the direction of one of its officials called the Town Manager.

The Company originally built and owned all of the houses in the Townsite, but in recent years a policy of selling the houses to the occupiers was adopted with the result that it now owns very few homes. It is the expressed desire of the Company that the responsibility for the development and maintenance of the Townsite be placed eventually in the hands of the residents themselves and it was a step toward the attainment of this objective that the policy of disposing of Company-owned homes was adopted.

Municipal Government and Administration

With the exception of Corner Brook the other three towns in the area have been incorporated under the provisions of the Local Government Act, 1949⁽⁴⁾. The responsibility for government and administration in each town is vested in an elected council, the number of members of which is stipulated in the respective town charters. In Corner Brook East there is a nine-member council, in Curling a seven-member council and in Corner Brook West a six-member council. Under the Act members of council hold office

(4) Act No. 52 of 1949. This Act repealed the Local Administration Act of 1937 under which the towns were originally incorporated. The Town of Corner Brook West was incorporated in 1942, Corner Brook East in 1948 and Curling in 1947.

for a period of four years and Council appoints, at its first meeting, one of its own members as chairman who also assumes the office of Mayor.

Under the Local Government Act the Councils are given the power to regulate and control building. They are also responsible for the construction and maintenance of roads and streets, the installation of sewerage and water systems, and the provision of garbage collection, snow removal, street lighting and fire prevention services. (5)

In order to finance the cost of providing and maintaining these services, the Council may, subject to the approval of the Lieutenant-Governor in Council, impose a variety of local taxes. Chief among these is the power to tax the owners of real property located within the boundaries of the municipality. As well, the Council is empowered to levy a stock tax on the occupier of every shop, store, warehouse or factory within the limits of the municipality. This tax may be imposed at a rate between twenty cents and one dollar for every one hundred dollars of the value of stock in trade as at the end of the preceding year. The Council is also permitted to levy a business tax or annual license fee of not less than five dollars and not more than five hundred dollars on persons or companies carrying on within the municipality any business, trade or profession. (6). Finally, the Council

(5) Local Government Act, 1949, Sections 33-46.

(6) Ibid., Section 48. This tax may now also be levied on the basis of a percentage of the assessed value of the real property used by any person or company carrying on the business, trade or profession in respect of which the tax is imposed. See Local Government (Amendment) Act, 1953, Section 4 (3). Act No. 34 of 1953.

is given the power to impose an entertainment tax on all stage performances, entertainments, circuses, or shows, save in the case where all proceeds are to be used for charitable, educational or religious purposes.

In addition to the taxes indicated the Council is also empowered to impose a variety of sundry levies, all carefully defined in the Local Government Act, 1949. For example, all male persons over 21 years of age can be required to pay a municipal service fee of not less than five nor more than ten dollars if they have resided in the municipality for more than three months in the financial year. Similarly, non-resident persons, companies or firms who own real property within the municipality may be required to pay a municipal service fee of up to one hundred dollars per year. A tax of not less than five dollars and not more than ten dollars may be imposed on the owners of motor vehicles operating from within the limits of the municipality for hire or reward. As well, the Council can levy a tax not exceeding one dollar a ton on all coal delivered to the municipality.

From the point of view of the responsibilities assigned and the revenue powers allocated to the incorporated municipalities in the Corner Brook area, there is little apparent departure from the position of municipalities in the mainland provinces of Canada. It should be noted, though, that two important services, normally a municipal responsibility throughout the rest of Canada, are not provided by Corner Brook municipalities. These are police protection services and educational facilities. The responsibility for providing and financing the cost of these services still remains with the Provincial Government.

As in most provinces the Province of Newfoundland exercises careful supervision over borrowing by local governments. Because municipal corporations have only been recently established and their borrowing capacity is therefore somewhat limited, the provincial government has to guarantee repayment of any bond or debenture issues made by a local government. (7) . While provincial control of municipal finances is, in most provinces, usually exercised with respect to the control of municipal indebtedness and the expenditure of funds provided for specific services under the various provincial grant programmes, financial supervision is carried further in Newfoundland to include provincial supervision of annual budgets for current expenditures. Thus, the incorporated municipalities in the Corner Brook area must prepare and submit to the Lieutenant-Governor in Council a budget containing:

- (a) an estimate of the balance of the Municipal Fund at the beginning of the ensuing fiscal year;
- (b) an estimate of payments in the next ensuing financial year showing the amounts required to meet various classes of expenditure;
- (c) an estimate of its receipts from various taxes and any other source of income in the next ensuing financial year; and
- (d) any other information which the Lieutenant-Governor in Council may require.

This budget must be submitted to the Provincial Government by the first day of March of each financial year and the Lieutenant-Governor in Council may approve or disapprove a budget submitted by the Council. Without the

(7) Local Authority Guarantee Act, 1952. Act No. 58 of 1952.

approval of the Province the Council cannot incur any debts, enter into any contract or become liable for any expenditure in excess of the estimated amount of payments set out in the approved budget. (8)

Not all of the revenue required to finance municipal services in Corner Brook municipalities is derived from locally imposed taxes and license fees. As in other provinces, municipalities are dependent to a considerable extent upon financial grants from the provincial government. (9) Grants are provided by the Government of Newfoundland to municipalities for specific purposes such as road construction or other projects where local tax revenues are considered insufficient to carry the full cost. Usually when specific purpose grants of this kind are provided, some control is exercised by the provincial government to ensure that minimum standards are maintained. While this type of grant is common in most other Canadian provinces, the general municipal revenue grant provided by the Newfoundland government is paid on a somewhat different basis than similar grants given to municipalities by other provinces. (10). Revenue grants are paid by the Provincial Government to all municipalities on the following basis:

(8) Local Government Act, 1949, Sect., 22-24.

(9) A recent appraisal of Canadian municipal finance estimates that 23.2% of all municipal revenues was derived from provincial government grants in 1951. In 1930 only 8.9% of municipal revenues came from this source. See Municipal and Intergovernmental Finance, 1930-1951. (Canadian Federation of Mayors and Municipalities, Montreal, Que., 1953), p.42.

(10) This type of grant is provided in some other provinces, usually on a per capita basis. It differs from the specific purpose grant in that no conditions are laid down as to how it shall be spent.

1. One dollar for every dollar of taxes collected up to \$3,000.00;
2. Fifty cents for every dollar of taxes collected over \$3,000.00 and up to \$10,000.00; and
3. Twenty cents for every dollar of taxes collected over \$10,000.00

During the first four years of the life of any municipality the grants are paid on a slightly higher scale.⁽¹¹⁾

The unique basis for the payment of revenue grants is rooted in the desire of the Provincial Government to stimulate the development of local government. With the establishment of local governments during recent years it was found that one of the principal obstacles to sound municipal administration was the Newfoundlander's opposition to local taxes and particularly the tax on real property. Consequently, Councils were often inclined to be somewhat indifferent with respect to unpaid taxes. The linking of the revenue grants to tax collections is an attempt to encourage local Councils to pursue a more aggressive tax collection policy.

Day to day administration of municipal activities and the execution of Council policies is the responsibility of officials and employees appointed by the respective Councils. The administrative force employed by the respective incorporated municipalities in the Corner Brook area is certainly not large. In Corner Brook West it comprises a Town Manager and a Town Clerk as the principal appointed officers together with a stenographer and about eight labourers employed on such tasks as garbage

(11) Report of Local Government Division, Department of Municipal Affairs and Supply for Year ended March 31, 1951. (Queen's Printer, St. John's, Nfld.)

removal and road maintenance. In Corner Brook East the same officials are employed although there are fewer labourers employed on municipal activities, while in Curling only a Town Manager, a stenographer and one labourer are employed by the Council.

Administration of Corner Brook

The foregoing has related solely to the municipalities in the Corner Brook area which have been incorporated as municipal corporations under the general provisions of the Local Government Act, 1949. Corner Brook Townsite, as has already been pointed out, is an unincorporated town and is operated by Bowater's Newfoundland Pulp and Paper Mills Limited.

The charter powers and provisions under which this Company operates in Newfoundland are contained in a number of Acts and Agreements which are collectively referred to as "the Bowater Act". Thus under Clause 33 of the "Agreement of 1938" between (12) the Newfoundland Government and the Bowater Company, the Company was authorized to establish towns or settlements which may comprise "such residences and other housing accommodation as may reasonably be required for its officers, operations, and workmen, and shall be laid out according to town plans in such manner as to admit of construction and expansion of modern towns or settlements, making proper provision for sanitary and other conveniences". When the Company began operations in the Corner Brook area it had, as a matter of

(12) Agreement dated November 29, 1938, between the Newfoundland Government and Bowater's Newfoundland Pulp and Paper Mills Limited and which constitutes the Schedule to Act 2, George V, 1938, Chapter fifty-three.

necessity, to provide accommodation for the work force employed on logging operations and paper production.

In providing residences for its officers and employees the Company had to create a town and provide some of the municipal services now considered essential in any modern urban community. Accordingly the Bowater Company has provided Corner Brook with water and sewerage services, fire prevention service, and paved streets and roads. Moreover, it has taken steps to control the growth of the Townsite so that development has proceeded in a carefully planned and orderly manner. In the building of Corner Brook Townsite to the point where, in contrast to its neighbours, it is regarded as, and certainly appears to be, a superior type of urban community, the residents have had little or no voice in determining the policies which led to this end. Municipal policies are made by the Company management, executed by a Town Manager, and the total financial obligation incurred was assumed by the Company.

There are indications that the Company no longer wishes to continue accepting the responsibility for the management and administration of Corner Brook. It has expressed a desire to see the citizens themselves assume this responsibility. To this end, the Company has in recent years embarked upon a policy of selling all of its residential holdings in the Townsite and, as a result, the Company now owns a relatively insignificant number of homes. Despite the fact that most of the residents have now acquired ownership of the former Company-owned homes there is no legal responsibility resting upon them to contribute toward the cost of providing and maintaining municipal services. Thus home-owners in Corner Brook are in

a particularly favoured position as compared to home-owners in the rest of Canada. (13)

In addition to disposing of its ownership of homes in the Town-site the Company has recently taken another step toward preparing the residents to accept local self-government. Where at one time municipal policy decisions were made exclusively by an official of the Company, these decisions are now entrusted to a Council set up for this purpose. The Council consists of seven members, three of whom are elected by the residents and four appointed by the Company. While the Council has no legal status and its decisions can be vetoed by the Company, it has provided a means for permitting the residents to participate in formulating municipal policies in the Town.

The Water and Sewerage Corporation
of Greater Corner Brook

No outline of the development of municipal institutions in the Corner Brook area would be complete without reference to the creation of the Water and Sewerage Corporation of Greater Corner Brook. Following a general

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- (13) While the Company possesses the power to regulate and control building, sanitation, streets and roads, fire prevention, etc., it does not, in operating an unincorporated municipality, possess any power to tax. As long as it remains a Company-operated town, the full financial responsibility for municipal operations must be assumed by the Company. Nevertheless, the Company has attempted to obtain some contribution from residents for in selling its homes it required the purchasers to agree to pay a municipal service charge levied as a percentage of the assessed value of their property. However, this agreement breaks down if the first purchaser decides to sell his home and the second purchaser decides not to pay any service charge agreed to by the former owner. So far no legal case involving this issue has developed and it is extremely unlikely that the Company could successfully advance a claim for payment of this fee.

survey of municipal services in the area, H. Carl Goldenberg, Q.C., of Montreal, recommended in a report submitted on April 22, 1950 that immediate joint action should be taken to provide a water and sewerage system for the area. With the exception of Corner Brook Townsite none of the other towns provided water and sewerage services. As has already been indicated, the prevailing means of providing these services was by the residents themselves through the use of privies and wells. However, because of the inadequate inspection these devices constituted a constant threat of contamination and a standing danger to the health and welfare of the community.

Following Mr. Goldenberg's report, R. DeL. Franch, M.E.I.C., a consulting engineer from Montreal, was engaged by the Bowater Company to report on the main features of a comprehensive system of water supply and sewerage for the area. (14) Meanwhile, the Provincial Government had approved legislation incorporating the Water and Sewerage Corporation of Greater Corner Brook. The necessary legislation was adopted on June 22, 1951. (15)

The Corporation created was empowered to acquire and supply water and sewerage systems for the area included within the territorial limits of the towns of Corner Brook, Corner Brook East, Corner Brook West and Curling. Its charter stipulates that the powers and functions of the Corporation are to be exercised and discharged by an Administrative Board consisting of

(14) R. DeL. Franch, M.E.I.C., Report on a System of Water Supply for Curling, Corner Brook West, Corner Brook and Corner Brook East, and Report on a System of Sewerage for Curling, Corner Brook West, Corner Brook East and Corner Brook, October, 1950.

(15) The Water and Sewerage Corporation of Greater Corner Brook Act, 1951.

representatives appointed by resolutions of the respective Councils of the municipalities included in the area served by the Corporation. The Administrative Board comprises eight members, two appointed by each of the Councils of Corner Brook East, Corner Brook West and Curling and two members appointed by the management of the Bowater Company. The Chairman of the Board is elected annually by the members. No term of office is stipulated for members of the Administrative Board and the representatives of each municipality hold office during the pleasure of the Council appointing them. The day to day administration and operations of the Corporation are the responsibility of an Engineer-Manager appointed by the Administrative Board and who holds office during the pleasure of the Board.

The Corporation acquired the water and sewerage system of Corner Brook Townsite from the Bowater Company. It then commenced the construction of an extended water and sewerage system which would eventually serve the entire area. Considerable difficulties were encountered in that many homes were located fairly high up on steep sloping land, thus making the cost of extending water and sewerage services to them somewhat exorbitant. Construction of the dual system has been under way for the past two years and the Corporation expects that water and sewerage service to the bulk of the homes in the area will begin late in 1955.

Resources of Corner Brook Municipalities

In order to obtain a more complete understanding of the municipal institutions that have developed, it is imperative that these be examined

against the background of the environment in which they operate and the administrative and fiscal resources available to them.

From the preceding description of municipal institutions it is apparent that the Corner Brook area is not being provided with municipal services of the quality which might normally be expected in an urban community. The primary problem facing the area is the provision of water and sewerage services. In this regard, though, the municipalities have initiated remedial action by the creation of the Water and Sewerage Corporation of Greater Corner Brook. Consequently, the area will soon be provided with adequate services of this kind. However, the installation of the necessary water and sewerage services has emphasized some of the problems arising from uncontrolled and unplanned urban growth. In this connection the author, after a visit to the area, reported as follows:

"The growth of Corner Brook West, Corner Brook East and Curling has been largely haphazard and uncontrolled. The results of this development are now evident in the difficulties encountered in providing municipal services to homes located too high up in some sections. In other places buildings have been erected too close to existing narrow roads, thus making any necessary widening both difficult and expensive. From a structural point of view it appears that little headway has been made in making buildings conform to minimum standards of design and safety". (16)

From the conditions thus described it is clear that the Corner Brook area faces a problem in town planning and zoning. Consequently, the adoption of a general plan of development for the area is imperative.

(16) The Amalgamation of the Municipalities of Corner Brook East, Corner Brook West and Curling, November 1953, (A report submitted to the Humber Municipal Association, Corner Brook, Newfoundland)

Municipal leaders have not been unaware of this need and in 1951 a team of town planning consultants was engaged to prepare a general plan for the area. (17) Any plan of this kind must, of course, embrace the needs of the area as a whole and requires unified action of the municipalities concerned if the plan is to be successfully implemented. The present artificial political sub-division of an area which is essentially a single geographic, social and economic entity into four separate political units inhibits unified action. Consequently, little progress can be expected until an area planning authority is established.

While the adoption and implementation of a general plan of development for the area must, of necessity, require considerable time, there is much that can be accomplished by way of control, regulation and inspection of existing and future building in the area. Ample evidence of what such action can accomplish is available in the development of Corner Brook Townsite. (18) While the incorporated municipalities possess considerable power to control and regulate building, the regulations adopted by local councils in the area have not been vigorously enforced. In part

(17) See Bland, John and Spence-Sales, Harold., op.cit.,

(18) While Corner Brook Townsite furnishes a concrete example of what can be done in the area, it should be remembered that the entire development was planned and executed as a project of the Bowater Company. During the period of development, all of the building in the Townsite was undertaken by the Company. It did not therefore face the problem of an incorporated municipality where development plans and zoning by-laws have to win public approval and are frequently under attack by private builders and developers.

this is the result of what is undoubtedly the natural reluctance of the Newfoundlander to interfere with an individual's property. As well, this lack of vigour in enforcing regulations stems from the fact that the councils in the area simply do not employ sufficient personnel to carry out regular inspection to ensure that builders conform to local building by-laws. At the present time, though, there is a growing awareness on the part of municipal officials in the area of the need to adopt a more aggressive policy of enforcing building and zoning regulations. (19)

The unplanned development of the area, particularly in the sections occupied by the incorporated municipalities, has been an important factor in the creation of a major problem with respect to the construction and maintenance of roads and streets. With the exception of Corner Brook Townsite, roads and streets in the other three municipalities may be considered something less than adequate. In some cases they are too narrow to permit the movement of vehicles and necessary widening is impossible without some attempt at relocating existing homes where this is required. Few roads are paved, sidewalks are non-existent, and the roads are of poor quality in general. (20)

(19) The author has talked to municipal officials in the area who have expressed concern with what may be considered premature sub-division development. Lots are frequently too large and the distance between houses too great to permit economical financing of roads and other local improvements. In many cases the number of fronting proprietors would not be large enough to support the financing of improvements through a local improvement tax at anything like a reasonable levy. Proper control at an earlier stage would undoubtedly have eliminated much of this difficulty.

(20) The author has personally surveyed the entire area.

With much of the development of the area occurring in the absence of any real attempt at enforcing minimum building standards, it is not surprising that there should exist residential and commercial structures which constitute fire hazards, and a constant menace to public safety. More important than the existence of such structures is the fact that none of the municipalities in the area maintain an adequate fire protection service. At present this service is provided largely on the basis of volunteer fire brigades in each town. Moreover, not enough modern fire-fighting equipment and vehicles are available to these volunteer brigades. (21) An urban area of approximately 20,000 people, faced with constant danger of fire outbreaks due to the existence of sub-standard structures, cannot depend, with any degree of safety, upon volunteer fire brigades lacking in modern equipment. Consequently, the provision of adequate fire protection services in the area is a compelling necessity.

In general there are three basic municipal problems confronting municipalities in the Greater Corner Brook area. These involve: (a) the adoption of a plan for community development coupled with the provision of adequate means for controlling and regulating building; (b) the construction and maintenance of roads and streets; and (c) the provision and maintenance of adequate fire protection services. In the light of these community requirements the resources of the municipalities of the area, fiscal, physical

(21) The inadequacy of existing fire protection services became so serious that in the fiscal year 1952-53 the Provincial Government made a special grant to Corner Brook West to be used directly for the employment of a few permanent firefighters and the purchase of some necessary equipment. While these facilities are administered by Corner Brook West they are to be on call throughout the area.

and administrative, must therefore be examined in order to obtain some assessment of the capacity of existing municipal institutions to provide the required services.

Municipal Resources

In general, the municipalities in the area are responsible for the administration of the following services:

- (a) the construction and maintenance of streets, roads and bridges;
- (b) sanitation and waste removal;
- (c) street lighting;
- (d) town planning and zoning;
- (e) building control, regulation and inspection;
- (f) fire protection;
- (g) traffic control.

As well, the maintenance of an adequate water supply and sewerage disposal system are responsibilities of the respective municipalities but which have now been delegated to the Water and Sewerage Corporation of Greater Corner Brook. (22)

The scope of the responsibilities assigned by the Provincial Government to the municipalities in the Greater Corner Brook area is much more limited than is the general rule in other provinces. Municipalities in the other nine provinces of Canada have considerable responsibility for

(22) See Local Government Act, 1949.

the provision of education facilities, health and welfare services, police services and some share in the cost of the administration of justice. These responsibilities alone account for nearly fifty per cent of the average municipal budget of municipalities in the mainland provinces.

Reference has already been made to the taxation powers assigned to Newfoundland municipalities. It would appear that the revenue sources available to municipalities in the Corner Brook area are much more varied than is the case with most municipalities in Canada where the principal revenue sources are the tax on real property, license fees, retail sales taxes in some cases, and grants from provincial governments. Under the taxation powers granted to them Corner Brook municipalities can, in addition, levy a tax on entertainment and on purchases of coal and fuel.

While Corner Brook municipalities may appear to have access to a greater variety of tax sources, this advantage is outweighed by the fact that local direct taxation is of comparatively recent origin in Newfoundland. Until the introduction of municipal government very recently, residents of Newfoundland have never been accustomed to paying direct taxes at the local level. Moreover, the tax on real property, particularly, had the capacity of striking fear in the heart of the Newfoundlander. Consequently, there is still some hostility and scepticism regarding the imposition of local taxes to pay for municipal services which are elsewhere considered a normal local responsibility.

Bearing these factors in mind, the Corner Brook communities have made significant advances in recent years in that they have managed to secure acceptance of the principle of locally imposed taxation. However, the revenue

resources of the area have not yet been exploited to the point where local residents may be considered as making a contribution to the cost of municipal services comparable to that of urban citizens in other parts of Canada.

Table 1 below helps to illustrate the present revenues of municipalities in the Corner Brook area.

TABLE 1

Revenues of Corner Brook West, Corner Brook East, Curling
for Fiscal Year Ended March 31, 1954 (a)

	<u>Real Property Tax</u>	<u>Total Local Revenues (b)</u>	<u>Government Grants</u>	<u>Total All Revenues</u>
	\$	\$	\$	\$
Corner Brook West	36,543.89	77,796.37	24,311.89	102,108.26
Corner Brook East	14,998.22	32,502.04	50,308.92	82,810.96
Curling	<u>7,426.58</u>	<u>17,751.18</u>	<u>7,006.03</u>	<u>24,757.21</u>
Total	<u>58,968.69</u>	<u>128,049.59</u>	<u>81,626.84</u>	<u>209,676.43</u>
(a) Source: Financial Statements of the Towns of Corner Brook West, Corner Brook East and Curling for the Fiscal Year ending March 31, 1954.				
(b) Includes revenues from all local taxes, license fees, fines, etc.,				

From these figures it can be deduced that the total revenues derived from the real property tax imposed by the three municipalities accounts for approximately 27% of the total revenue and when all revenues are taken together these provide approximately 58% of all revenue accruing to the municipalities from local taxes. The balance of municipal revenue

or 42% of the total is derived from government grants. Thus in the three incorporated municipalities just a little over one half of present revenues is raised from local sources. When the revenues are examined a little more closely it will be observed that the tax on real property produces approximately 27% of total revenues. This is an extremely small proportion in comparison to what this tax produces for municipalities in other provinces where it accounts for, on the average, about 80% of
(23)
municipal revenues.

At least two conclusions can be drawn from these figures. First, the proportion of total revenues raised from local sources is small and the municipalities are, therefore, a considerable distance from being considered self-supporting local government units. Second, the real property tax does not appear to be as productive of revenue as might be expected.

The fiscal position of the Corner Brook area municipalities is not complete without consideration of the financing of Corner Brook Townsite. The Townsite is in a somewhat different position in that it is not an incorporated municipality and the Bowater Company is financially responsible for its operation and maintenance. However, some figures are available with respect to the financing of the Townsite.

Some idea of the fiscal operations of Bowater Townsite can be

(23) Corbett, D.C., Urban Growth and Municipal Finance, (Canadian Federation of Mayors and Municipalities, Montreal, Que., 1952,) p.27: "By far the most important of the municipal taxes is the property tax. It produces on the average, about 80% of the revenues of Canadian municipalities. The percentage is higher in rural areas and lower in the bigger towns and cities where a greater variety of taxes are imposed."

obtained from Table 2 below:

TABLE 2

Revenues of the Town of Corner Brook for
Fiscal Year Ended Sept.30, 1952 (a)

<u>Local Revenues:</u>	\$
Property Assessments	33,861.39
Water Rates	22,910.25
Building Permits	543.50
Miscellaneous Revenue	<u>962.00</u>
	58,277.14
<u>Company Contribution</u>	<u>127,245.66</u>
Total all revenue	<u>185,522.80</u>

(a) Source: Operating Statement for the Town of Corner Brook for the Fiscal Year ended September 30, 1952 provided by the Bowater Company.

The revenue derived from property assessments while not a tax in the legal sense of the word inasmuch as the Bowater Company has no power to levy taxes is comparable to the property tax imposed in the incorporated municipalities. It is determined on the basis of an assessment of real property and calculated in a similar manner to that employed in the other communities. It will be noted, though, that the income derived from this source constitutes a fairly small proportion, approximately 18%, of the total income necessary to finance the Town's operations. Moreover, when all local rates are taken together it will be found that these account for only 28% of the total funds necessary to finance municipal services in the Town. Consequently, the Company's contribution, which is determined by

the extent to which local rates do not meet total service costs, amounted to 72% of total revenues during the fiscal year under review. (24)

By combining the figures in Tables I and 2 it will be found that the four municipalities together raised a total of \$186,326.73 from local taxes and service rates which represents approximately 45% of the total of all revenue accruing to the Corner Brook municipalities for the fiscal years indicated. With a combined expenditure budget of almost \$400,000.00 the relationship of revenues derived from local taxes and rates to the cost of municipal services becomes more clear when revenues and expenditures are compared on a per capita basis as in Table 3 below:

TABLE 3

Per Capita Local Revenue and Expenditure
for the Greater Corner Brook Area (a)

Local Revenues Per Capita:	\$ 8.87
Expenditures Per Capita:	\$23.43
(a) These figures represent locally raised revenue and expenditures of the four municipalities in the area based on the financial statement for the fiscal year ending March 31, 1953 in the case of the incorporated municipalities and the fiscal year ending September 30, 1952 in the case of Corner Brook Townsite.	

- (24) It can be argued that the Company is responsible for the complete financing of the Town's operations. Nevertheless, the residents of the Townsite do own their own homes which places them in the rather fortunate situation of having to pay an insignificant amount for municipal services of a superior quality.

These figures serve to illustrate the extent to which the municipalities in the area must proceed toward balancing revenues with responsibilities; the degree to which local residents are not directly contributing toward the full cost of municipal services rendered.

Also significant with respect to the financial resources of the municipalities in the area is the fact that the present level of expenditures is evidently not providing adequate municipal services in the area. It will not, therefore, be sufficient for municipalities to boost local revenues to meet an expenditure budget at the level indicated but at a higher level, that is if more municipal services are to be provided.

Despite the incapacity of local revenues to meet municipal responsibilities, there is no doubt that the municipalities in the area, with the varied tax powers at their disposal, can eventually meet a much greater proportion of the cost of municipal services. Even though this was accomplished and even though the present level of expenditures could be raised, there are still obstacles in the way of meeting the basic municipal problems confronting the area. Apart from finances the primary impediment to effective administration of improved municipal services is the division of the area into four separate municipalities. Particularly is this true with respect to the area covered by Corner Brook East, Corner Brook West and Corner Brook Townsite which is basically a single geographic and economic unit. The maintenance of three separate jurisdictions in this area represents considerable administrative and economic waste in that the fiscal resources of each municipality prohibits the employment of the technical skill necessary

for effective administration of essential municipal services.

The municipal services which must be provided and maintained by municipalities in the area have already been outlined. These services may be roughly classified as involving engineering (road construction and maintenance, sanitation and refuse collection, building inspection, and street lighting); planning and development (building control, zoning and implementation of general community development plan); and protective services (fire prevention and traffic control). With the exception of Corner Brook Townsite, where some of the required specialized skills are provided by the Bowater Company, the towns in the area all lack the technical assistance necessary for effective administration of the services indicated. In terms of technical personnel the basic prerequisites appear to be: a competent municipal engineer with some knowledge of planning and zoning administration; a building inspector; a fire prevention officer. At present the expense of employing such personnel is prohibitive for individual municipalities. Even if the financial position permitted each municipality to engage some or all of these personnel it would constitute unnecessary duplication of effort with resultant administrative waste. (25)

A very limited personnel force currently administers the municipal services provided in each municipality. With the exception of Corner Brook Townsite, which can draw upon the engineering and technical assistance of the Bowater Company, none of the municipalities employ the skills necessary

(25) For example, the scope of the activity of any single municipality would hardly keep a technically competent officer fully occupied.

for the efficient administration of municipal services. Corner Brook East and Corner Brook West each employ a town manager, a clerk and a stenographer. Curling employs a town manager and a stenographer. In addition, each municipality employs some permanent and some casual labour for road maintenance, refuse collection, etc.. In general, the supervision of all activities and services undertaken by each municipality is the responsibility of the respective town managers. Because of the lack of technical assistance, the town managers of the three incorporated municipalities have to combine the duties of public works supervisor, building inspector, and town planner. Frequently, too, they must perform the duties of a tax collector and accountant in addition to acting as the principal adviser of the Council on all matters pertaining to municipal administration. This is obviously an impossible burden to impose upon any single individual. In each case the town manager is attempting to do too many jobs without technical assistance, inadequate physical equipment and limited financial resources.

In addition to the lack of skills necessary for the sound administration of municipal services in the area, there appears to be a deficiency in essential physical equipment. There is a need for modern road building machinery, firefighting equipment, etc.. The extent of this deficiency is such that it can hardly be met from current revenues but will require, in all probability, capital expenditures financed by borrowing.

In summary, then, it is clear that the main requirements of the municipalities in the Corner Brook area are (a) additional finances;

(b) the employment of some specialized personnel; and (c) additional physical equipment. It is apparent as well that the municipalities in the area cannot, on an individual basis and with their current resources, meet these requirements necessary for effective administration of municipal services. Moreover, these requirements are inter-related. Not much will be gained, for example, by an improvement in finances unless it results in the acquisition of some specialized skills and additional equipment. Nor will much progress be made through the employment of additional skills without the purchase of needed equipment and this, in turn, is dependent upon an improvement in municipal finances.

The final and most important conclusion that can be drawn from this examination of the problems and resources of the municipalities in the Greater Corner Brook area is that the existing organization of the area into four separate municipal jurisdictions cannot provide the administrative machinery necessary for the economical administration of municipal services. It should be noted that the need to develop adequate arrangements for the administration of municipal services in an urban area which is divided into a number of small local government units is not confined to the Greater Corner Brook area alone. It is not an isolated problem, but is one which is common to almost every urban area where population growth has been fairly rapid. Consequently, some of the methods and procedures which have evolved for dealing with this problem will be dealt with in the next chapter.

III. METHODS OF RESOLVING THE PROBLEM OF DIVIDED MUNICIPAL
JURISDICTION IN GREATER CORNER BROOK

The inadequacy of a number of small municipalities attempting to administer municipal services to a rapidly expanding urban population has become most apparent in the larger metropolitan areas. The wartime and post-war expansion of population in such places as Montreal, Toronto, Winnipeg and Vancouver, for example, has sprawled far beyond the boundaries of these cities into the surrounding municipalities. In part, this "flight to the suburbs" was caused by the relative unavailability of sufficient land within the central city to meet the housing needs of a rapidly increasing population. Consequently, an ever-increasing number of people flocked to the small municipalities surrounding the central city where land suitable for residential development was usually fairly abundant. Frequently, migration to the suburban communities was caused by a desire to escape the rising municipal tax rates of the central city.

This large-scale population movement to the suburbs very often found these smaller municipal units ill-equipped to handle the attendant problems involved. All too often these communities developed on a completely unplanned and uncontrolled basis. Moreover, the majority of the residents of these expanding suburban communities earned their livelihood in the central city and not in the municipality in which they resided. For these suburban residents the central city not only provided the means for their economic welfare, but frequently their only facilities for social,

recreational and cultural pursuits. One effect of this development was to create difficult problems in the administration of area-wide transit services, adequate traffic and parking facilities in the central city as well as the construction and maintenance of intermunicipal roads and streets. More importantly, this development had serious consequences for the central city as the following commentary makes clear:

"The rapid growth of suburbs has very serious consequences for municipal finance. Suburban dwellers are day-time users of the central city's streets and utilities. They add to the traffic problem, the cost of police and fire protection, water and sewerage and street maintenance. Yet, being outside the city's boundaries, they escape the central city real estate taxes, the most important source of revenue of the central city. As the 'escape to the suburbs' goes on, the central city attempts to retrieve lost revenue either through setting up joint utility boards with the suburbs, or through contract arrangements for certain services, or through federation or outright annexation or amalgamation. The growth of suburbs has placed a severe strain on the whole fabric of municipal financial arrangements." (1)

It is obvious that without some kind of intermunicipal arrangement for the provision of some services, effective municipal administration in these expanding urban areas would indeed be difficult if not impossible. A brief review of some of the administrative arrangements which have been developed for dealing with this problem is worthy of consideration at this point.

(1) Corbett, D.^C., op. cit., p. 22.

Methods of Intermunicipal Administration

Probably the simplest procedure that has evolved for providing area-wide municipal services is the negotiation of an agreement or contract between one or more of the suburban municipalities and the central city. Thus, for example, the City of Montreal has entered into contractual arrangements with a number of neighbouring municipalities whereby it undertakes to wholesale water to these communities which handle the retail sale. This arrangement is advantageous to the suburban municipalities for it assures them of an adequate water supply without the necessity of making heavy capital expenditures for reservoirs, pumping stations and other expensive equipment. Similar contractual arrangements are frequently worked out with respect to firefighting services where, for an agreed price, the suburban municipality may call on the modern and extensive firefighting apparatus and trained personnel of the central city. This procedure, too, has advantages for the small municipality for it frequently enables it to operate with a minimum of firefighting equipment and often with only the services of a volunteer fire brigade.

Ad hoc arrangements of this kind offer only a partial solution to the problem of providing area-wide administration. Inevitably, this expedient works to the disadvantage of the central city for it must expand its capital equipment and administrative establishment in order to meet its contractual obligations. In the long run central city administration becomes more complex and more costly.

In the Vancouver and Winnipeg areas another approach has been found in the establishment of special districts which have area-wide responsibility for the administration of certain services such as water supply and sewerage disposal. Thus, the Greater Winnipeg Sanitary District and the Greater Winnipeg Water District administer sewerage services and water supply respectively for the City of Winnipeg and eight neighbouring municipalities. (2)

A more comprehensive approach to the problem of divided jurisdiction in a metropolitan area lies in the creation of a single, multi-purpose, area-wide authority. Undoubtedly, the most significant step in this direction was taken in 1953 with the establishment of the Municipality of Metropolitan Toronto charged with the responsibility for administering a number of services throughout an area embracing the City of Toronto and 12 suburban municipalities. This new metropolitan authority overlies the existing 13 communities, but is, by no means, a complete substitute for them. The approach has been to create an additional level of metropolitan-wide government and to transfer to the new government certain important functions previously furnished by the separate local governments. The new municipality is governed by a 25-member metropolitan council consisting of 12 representatives of the City of Toronto and one representative of each of the 12 suburban councils.

(2) For a more extensive description of these two bodies see the Report of the Royal Commission on the Municipal Finances and Administration of the City of Winnipeg, 1939, (Queen's Printer for Manitoba, Winnipeg), pp.177-191.

This new government assumed its legal existence on January 1st, 1954 and for the first year the chairman of the Council was appointed by the Province of Ontario but in subsequent years this post will be filled by a nominee of the Council.

The functions assigned to the metropolitan municipality are specifically enumerated in its charter. (3) These include operation of all water pumping stations treatment facilities, reservoirs and trunk mains used in supplying water in the 13 municipalities. The metropolitan government distributes water at wholesale to the cities which handle the retail sale. The new municipality also operates trunk sewers and sewerage treatment plants, determines a metropolitan roads system, and appoints the commissioners of the Toronto Transportation Commission which is responsible for all public transportation in the metropolitan area. In the field of planning and redevelopment the metropolitan municipality has been given considerable responsibility. A metropolitan plan adopted by the Council must be followed by the individual municipalities in formulating their own plans.

The responsibilities assigned to the Municipality of Metropolitan Toronto are financed through charges to the 13 local municipal units in the form of tax bills. Each locality contributes its share according to the relationship of its total assessment to that of the entire area of the metropolitan municipality. The metropolitan government has complete charge of real property assessment in all 13 municipalities, thus

(3) Statutes of Ontario, 2 Elizabeth II, Chapter 73, 1953.

assuring a uniform, area-wide standard for assessment purposes. Moreover, the requirements of the municipalities for capital improvements must be approved by the metropolitan government and the security for debentures is the total assessment of the area of the entire metropolitan municipality.

In reality the Municipality of Metropolitan Toronto is a federation of 13 local municipalities. (4) Despite the transfer of important municipal responsibilities to the metropolitan government, the 13 municipal units involved still have numerous activities to administer since all powers not specifically given over to the metropolitan council remain with the member municipalities of the federation. These include the important functions of law enforcement, fire protection, public works, and health services.

(4) The creation of this second tier of local government in the Toronto area stemmed from a decision handed down by the Ontario Municipal Board following the hearing of an application by the City of Toronto to annex the surrounding municipalities. The Board rejected annexation but did not ignore the existing problem. Consequently, it suggested an alternative in the form of a federation of the City of Toronto and 12 surrounding municipalities. See the decisions and recommendations of the Ontario Municipal Board in the Matter of Sections 20 and 22 of "The Municipal Act" (R.S.O., 1950, Ch. 243), (Queen's Printer, Toronto, 1953). This report of the Ontario Municipal Board was largely the product of its chairman and is frequently known as the 'Cumming Report'. The legislation subsequently adopted by the Ontario Legislature follows closely the proposals outlined in the Board's report. For analysis of the Toronto plan of municipal federation, see Winston W. Crouch, "Metropolitan Government in Toronto", Public Administration Review, Spring, 1954, and Albert Rose "The Municipality of Metropolitan Toronto", Community Planning Review, Spring, 1953. A proposal for a municipal federation similar to that operating in Toronto has been suggested for the Montreal metropolitan area. See the Report of the Commission for the Study of Metropolitan Problems of Montreal, January, 1955.

It is interesting to note that the metropolitan government established for the Toronto area has a marked similarity with the 'borough system' developed in the metropolitan area of London, England. Superimposed above the City of London and the 28 metropolitan boroughs which comprise the administrative county of London is the London County Council to which has been assigned important powers and responsibilities for municipal administration throughout this metropolitan area. One important difference between the 'borough system' of London and the 'federation plan' in Toronto lies in the fact that the members of the London County Council are elected directly while the Toronto Metropolitan Council consists of representatives of the member-municipalities of the federation.

Probably the most important characteristic of these two approaches to the problem of providing area-wide administration in a large metropolitan area lies in the fact that they involve the establishment of a second tier of local government. The existing units are not seriously disturbed except that they no longer have responsibility for certain activities which are now administered on an area-wide basis. Despite this, the local municipalities still have important services to administer. Quite obviously such an approach can only be considered in a very large metropolitan area where the range of municipal responsibilities is both extensive and complex. It is doubtful if a two-tier system of local government could be established in a smaller urban area without depriving the local municipalities of their most important functions.

The smaller urban centres have not escaped the problems of rapid urban growth beyond their boundaries. In these cities parts of the nearby township or rural district often become built up on an unplanned and uncontrolled basis. Frequently a solution is found by having the central city annex the surrounding built-up areas. All too often, however, annexation occurs too late - - after the worst effects of urban growth beyond the central city's boundaries have become glaringly apparent. It should not be imagined, though, that annexation proceedings are easy of accomplishment. Few annexations occur without strong resistance from the local government whose territory, either partially or wholly, is to be annexed to the central city. In part this opposition stems from natural local pride coupled with a strong desire to keep the local boundaries intact. More often, the local municipality does not wish to lose the taxable assessments of the properties in the territory which is to be annexed even though it lacks the resources or the desire to provide an adequate level of services. Invariably it is only the central city which possesses the resources and administrative organization capable of providing an adequate level of municipal services to the surrounding territory. This factor may sometimes be decisive in determining the outcome of an annexation attempt. (5) Just as often, though, opposition may be strong enough to defeat an annexation proposal.

(5) For a description of a successful annexation attempt where this factor was emphasized see the decision of the Ontario Municipal Board in the Matter of Section 14 of the Municipal Act and in the Matter of an Application of the Corporation of the City of Brantford for the Annexation thereto of a part of the Township of Brantford, February, 1953 (Ontario Municipal Board, Toronto, Ont.,)

Amalgamation of two or more municipalities in an area where divided jurisdiction hampers effective local administration may sometimes be utilized. Usually it requires agreement on the part of the municipalities concerned and the instances where this has occurred have been few indeed. Where such agreement is not forthcoming the provincial government may force amalgamation by legislative action.⁽⁶⁾ However, it is only in exceptionally rare instances and usually because of especially severe conditions that a provincial government would take such action without some agreement on the part of the municipalities affected.

Students of urban government have long looked with favour upon the idea of amalgamation in areas, particularly metropolitan areas, where a multiplicity of municipal governments are attempting to govern and administer services. As a rule an urban area of this kind is a social and economic unit, yet it has no corresponding unit of local government. Consequently, the continuance of an artificial division of the area into several competing jurisdictions only serves to hamper effective administration. However, while logic may demand amalgamation of the municipalities in these areas, it does not usually meet with much favour. Nor has it been widely adopted.

In some instances the more serious problems created by the

(6) See Brittain, H.L., Local Government in Canada (Ryerson Press, Toronto 1949) p.120 for a description of the forced amalgamation of the City of Windsor, Ontario, and the municipalities of Walkerville, East Windsor and Sandwich.

existence of several municipalities in what is essentially a single, cohesive urban community may be resolved to some extent by the adoption of alternative arrangements such as those already described. Thus, for example, a contractual arrangement whereby the central city agrees to provide certain services to the nearby municipalities might furnish a working alternative to outright amalgamation. Similarly, the establishment of area-wide special districts for planning purposes or for the administration of water and sewerage services may prove effective. Likewise, in a large metropolitan centre where the smaller municipalities can resist effectively attempts to merge them with the central city, the erection of a second tier of local government (as in Toronto) may provide an acceptable working compromise to outright amalgamation.

It must be observed that in the main these alternatives to outright amalgamation have usually been adopted in urban areas where there is a fairly large central town or city surrounded by a number of smaller municipalities. The central city, because it possesses the greater resources and a better developed administrative organization, can usually, if annexation is resorted to, extend services fairly rapidly to the annexed territory. As well, it is only because of the superior municipal plant and administrative establishment of the central city that the device of extending services to nearby municipalities through a contractual arrangement can be utilized.

As a general rule a proposal for municipal amalgamation frequently arouse stiff and sometimes bitter opposition. Local pride

comes to the fore, particularly in smaller municipalities, to oppose the idea of the municipality losing its identity and becoming swallowed up by some larger jurisdiction. For some municipalities amalgamation may involve the loss of a particular advantage which could not be retained if amalgamation was accomplished. (7) Another factor to be considered in this resistance to amalgamation is the fact that in areas where it has been proposed the municipalities involved usually have a fairly lengthy history with the result that the tradition of local self-government may be fairly well-established. More often than not, opposition to amalgamation on the part of smaller municipalities stems from a deep-seated fear that tax rates will increase considerably as a result.

Turning to the area of Greater Corner Brook it must be observed that the foregoing arguments do not apply with the same force and vitality as they undoubtedly would in older communities in other parts of Canada and the United States. Indeed, conditions appear to be much more favourable for municipal amalgamation in Greater Corner Brook than might be found elsewhere. Consequently, amalgamation of the four towns in the Greater Corner Brook area can be given serious consideration as a means of

(7) For example, the assessment of property for tax purposes may vary greatly between municipalities in a metropolitan area. Consequently, an equalized assessment which would result from amalgamation would probably be viewed with little enthusiasm by residents of a municipality which had long enjoyed a low assessment, particularly if the tax rates applied on the assessment were correspondingly lower. As well, the ratio of industrial to residential assessment might be particularly favourable in one municipality with the result that residential property owners bear a lighter burden of taxation than would be the case in an area where the ratio was not so favourable. Such an advantage would undoubtedly be lost with amalgamation.

resolving the municipal problems confronting the community.

Municipal Amalgamation of Corner Brook Municipalities

The suggestion that the amalgamation of the four towns in the area of Greater Corner Brook might be a feasible solution to the problem of providing effective area-wide administration has been advanced despite the fact that it has rarely been utilized as a solution to similar problems elsewhere. An important factor to be considered as making amalgamation somewhat easier of accomplishment in the Corner Brook area is the fact that municipal government is of such recent vintage. Sufficient time has hardly elapsed for the residents of any of the municipalities to have formed particularly strong attachments to municipal institutions. Consequently, there would undoubtedly be less resistance to the idea of amalgamation than would be the case if any of the communities had a long-established history of local government. (8)

A second important consideration which must be taken into account is the difficulty of developing effective alternatives to amalgamation,

(8) The writer submitted a report to the Humber Municipal Association recommending amalgamation of the towns in the area. This Association is composed of representatives of the four towns involved. The proposal was accepted unanimously at a meeting of the Association and plans were later developed to bring about amalgamation on the basis recommended. It is difficult to imagine that a proposal of this kind would be received as well in an area where municipal institutions had been long established. However, while the proposal for amalgamation was accepted by municipal representatives it does not mean that resistance did not develop within the communities involved. The nature of this opposition is described in this chapter.

two of which have been suggested and will therefore be examined briefly.

The first envisages the creation of special districts or authorities which would have area-wide jurisdiction for special services. Under such an arrangement the present municipal organization would remain but the responsibility for certain services, such as water and sewerage, fire protection, and road maintenance, would be delegated to specially created authorities, each of which would be responsible for one or more of these activities. The municipalities in the area would be represented on the governing board of the authorities created. (9)

This suggestion has been partially adopted. The Water and Sewerage Corporation of Greater Corner Brook is an example of how a municipal service can be provided on an area-wide basis while the existing municipal structure is not seriously disturbed. However, it does not provide any permanent solution to the need for governmental reorganization in the area. Carried to its logical conclusion such an arrangement would only succeed in denuding the local councils of all significant responsibilities. For example, if an authority, similar to the Water and Sewerage Corporation, was created to control fire protection services in the area, another for town planning and one for maintenance of roads and streets, there would be little work left for the municipal councils to perform. Moreover, the creation of a number of these special purpose authorities helps to make local government less intelligible to the

(9) Goldenberg, H. Carl., op. cit., pp. 25-28

citizens who must support it. Under the plan suggested they would now have to deal with a number of municipal authorities instead of one. Citizens, too, would have considerably more difficulty in affixing responsibility for the administration of municipal services when authority is diffused through a number of authorities. Any such arrangement which tends to confuse the citizen is particularly inappropriate in the Corner Brook area where the whole concept of municipal government is a relatively new development.

These same arguments hold true with respect to the second suggestion which has been put forward - - introduction of the borough system of government. (10) The borough system implies the creation of an additional level of government to undertake certain services which should be provided on an area-wide basis. It still envisages the retention of the individual municipal councils. However, if the important functions and responsibilities were transferred to one area-wide municipal authority, there would be little of importance left for the local councils. In a very large metropolitan area, where municipalities have a considerable variety of responsibilities, the borough system may be a feasible arrangement.

The essence of good municipal government will be found in its simplicity and intelligibility to the local citizens it seeks to serve.

(10) Sir Eric Bowater, Chairman of the Board of Directors, Bowater's Newfoundland Pulp and Paper Mills Limited, advanced the idea of the borough system for the Corner Brook area.

To accomplish these purposes, responsibility should be vested, as far as possible, in one body. Adherence to this principle in municipal organization tends to create a municipal authority which is more easily understood by the average citizen and at the same time makes it easier for him to affix responsibility for the administration of all local services. On the other hand, the diffusion of authority which would result from the creation of special purpose authorities or the adoption of the borough system would make it much more difficult for the citizen to understand and harder still for him to affix responsibility for administration. (11) There are, of course, special situations where geographical and economic barriers make it necessary to place certain services under the jurisdiction of a special district or authority. Where an urban area comprises what is basically a single geographic, economic and social unit the desirable objective would be to place all, or nearly all, municipal functions under one common government.

This objective could probably be realized through annexation of the towns of Corner Brook West, Corner Brook East and Curling to Corner Brook Townsite which might be regarded as the central community in the area.

(11) The diffusion of authority through a number of boards or special purpose authorities inevitably leads to problems of jurisdiction, of questions concerning where responsibility begins and ends for each body. Such a situation may lead to excessive "buck passing" between the Council and authority or between authorities. The unfortunate citizen is usually caught in the middle and cannot obtain a satisfactory answer to his question of who is responsible for what.

However, annexation implies that the central town possesses the administrative, fiscal and physical resources necessary to absorb the nearby communities and extend municipal services to them. This is obviously not possible for Corner Brook Townsite is an unincorporated town and lacks the resources to undertake this task. (12) Moreover, the Townsite, for the same reasons, could not extend services to the nearby municipalities through a contractual arrangement.

The foregoing leads to the inevitable conclusion that the amalgamation of the existing municipalities in the Greater Corner Brook area constitutes the most practical and economical approach to the problem of providing effective municipal administration. Amalgamation would establish one common government for the area and provide municipal services on a more economical basis than is now possible.

While amalgamation of the four municipalities in the Corner Brook area can be considered the logical solution to the problem of providing effective municipal administration, it cannot, for very practical reasons, be accomplished all at once. Rather it should be undertaken in at least two stages. As a first step the amalgamation of the towns of

(12) It might be argued that because Corner Brook Townsite is a company-owned town that it does possess the resources necessary to undertake annexation or to extend services through some kind of contractual arrangement. If the Bowater Company consented to either of these two expedients it would mean that the entire Greater Corner Brook area would become a company-owned town and the whole objective of developing local self-governing institutions would be retarded. It is clearly not the Bowater Company's intention to become more extensively involved in municipal administration, preferring instead to encourage the development of local self-government.

Corner Brook, Corner Brook East and Corner Brook West should be attempted. At the present time the company-owned town of Corner Brook is the focal point of the area and the towns of Corner Brook East and Corner Brook West have been built up to the boundaries of Corner Brook. The bulk of the area served by the three towns represents a fairly cohesive geographic, economic and social unit. The Town of Curling, while essentially an integral part of this greater urban area, is geographically separated by a lengthy stretch of high, undeveloped land. In addition, it is somewhat more rural in character and, apart from one section of it, settlement is much more scattered over a wider area. As well, there is a considerable portion of Curling which does not come within the taxing powers of the local Council. Moreover, if the Town of Curling was included in the first stage of amalgamation it might present additional difficulties by way of extending services from the other towns due to the fact that Curling is physically separated from the rest of the area and settlement is much more scattered. Consequently, the inclusion of Curling might jeopardize the prospects of amalgamation of the other three towns through increased costs, etc., (13)

The proposal to amalgamate the three towns of Corner Brook, Corner Brook East and Corner Brook West as a first step appears to be a practical possibility. Because of the possible difficulties which might be encountered

(13) Engineers working with the Water and Sewerage Corporation have explained to the writer some of the difficulties encountered in extending water and sewerage service to Curling. The hilly terrain that had to be crossed helped to increase costs and the scattered settlement, they feel, will undoubtedly make higher than normal rates necessary.

it would therefore be much more realistic to consider the inclusion of Curling as a second step in the process of amalgamation. When amalgamation of the three towns has been accomplished and the new municipal corporation which would be created as a result has had sufficient time to demonstrate its capacity to consolidate municipal administration, Curling could then be included in the amalgamated municipality.

The new municipality which would be created as a result of the achievement of this first stage in the process of amalgamation would assume the responsibility for all functions performed and services currently rendered by the separate municipalities. The services which will soon be administered in the area by the Water and Sewerage Corporation of Greater Corner Brook should continue to be provided by that means until the second stage of amalgamation is given consideration. At that time the possibility of transferring the functions of the Corporation to the amalgamated municipality should be fully explored. Such a step offers distinct possibilities for the achievement of administrative economies. For example, the Corporation's financial and engineering administration could probably be integrated with that of the municipality, thus making for less costly operation and maintenance of water and sewerage services.

Amalgamation along the lines suggested or, indeed, on any other basis, cannot be considered a cure-all for the municipal problems facing the area. Consequent upon amalgamation, these will still remain. All that amalgamation can accomplish is the provision of a more effective and

more economical administrative means of providing essential municipal services in the area. More important, it will provide the machinery required for exercising necessary control over the sound planning and rational development of the growth of the area.

The principal advantages which would accrue from this suggestion to amalgamate the towns in the area may be summarized as follows:

- (a) Financial: The most obvious advantage which would follow from amalgamation would be an improved financial position. The sum total of revenues presently raised by the separate municipalities would, if placed at the disposal of one municipal authority for the area, provide much more in the way of services than is presently the case. For example, it would no longer be necessary to maintain three council offices, three administrative establishments, etc., In other words, the revenue dollar could be stretched much further.

In addition, the amalgamated municipality would be in a much better position to pursue a more aggressive tax collection policy which would result in increased revenues. (14) Moreover, the adoption

(14) At present tax administration is not too vigorous because of the limited staff employed in the towns. Delinquent accounts are not always followed up. For example, arrears in 1950-51 in Corner Brook East amounted to 22.8% of the year's levy. In Curling, arrears amounted to 67.1% for the same year.

of uniform tax rates throughout the area would be possible and more easily administered under amalgamation. (15) Improved tax administration and a uniform tax structure, difficult at present but much more feasible with amalgamation, would

(15) The following table indicates the prevailing disparity in tax rates between the towns:

TABLE I

Tax Rates of Corner Brook Municipalities (a)

Municipality	Property Tax	Entertainment Tax	Stock Tax
1. Corner Brook	1% on 60% of assessed value	Nil	Nil
2. Corner Brook West	$\frac{3}{4}$ of 1% on 100% of assessed value	.10 per admission	.50 per \$100 stock in trade
3. Corner Brook East	1/2 of 1% on 100% of assessed value	.10 per admission	.60 per \$100 stock in trade
4. Curling	1/2 of 1% on 100% of assessed value	.10 per admission	.50 per \$100 stock in trade
(a) Rates for selected taxes levied in 1953			

undoubtedly produce a significant increase in local revenues.

Finally, amalgamation would result in an improved credit and borrowing position. At present the separate towns have little, if any, debenture debt. But a real attempt to improve the present level of services will necessitate capital borrowing. A large town is usually in a much better position to borrow than several small ones.

- (b) Administration: It has already been pointed out that one of the chief difficulties confronting the towns in the area is their inability to employ the specialized skill necessary for effective municipal administration. The consolidation of administrative activity under amalgamation would make it possible to justify the employment of required technical personnel. As well, consolidated resources of the new municipality would facilitate the purchase of equipment by avoiding the present duplication in this respect. (16)

(16) The consolidation of fiscal and administrative resources under amalgamation would, by eliminating the duplication of activity inherent in a system of divided jurisdiction, provide more economical administration. Thus, for example, while none of the four municipalities could presently justify the employment of a skilled municipal engineer, the employment of such an officer would be possible and desirable under a single amalgamated municipality.

(c) Control and Development: Some services such as fire protection, zoning and town planning, road construction and maintenance are of such a nature that they can be most effectively administered on area-wide basis. A degree of equality is also desirable between the different sections of the area in the administration of these services. Amalgamation would, then, make it possible to provide these common services on a more equitable basis than is currently the case. More effective control could also be exercised over the future development of the area.

Obstacles to Municipal Amalgamation of
Greater Corner Brook.

On the principle that the sum of the whole is greater than the sum of the parts, it is therefore fairly obvious that the new municipality which would be created as a result of amalgamation would be in a much stronger position to meet the problems of municipal administration than if the present towns continued to act alone. While the arguments for amalgamation are strong and compelling and conditions in the area are more favourable to its acceptance than would be the case elsewhere, it cannot be supposed that there are no obstacles in the path of complete acceptance of the proposal by the residents of the Greater Corner Brook area. While

municipal officials in the area are wholeheartedly in favour of amalgamation there are some doubts in the minds of not a few local residents with respect to amalgamation.

Scepticism with respect to amalgamation is most noticeable within Corner Brook Townsite. For a number of years it was a full-fledged company town with the Bowater Company owning all homes and property and assuming the full responsibility for the management of municipal services.. However, the Company has in recent years embarked upon a policy of disposing of its residential property holdings with the result that most homes are now owned by residents of the Townsite.⁽¹⁷⁾ The new property owners contribute to the cost of municipal services through a small levy on the assessed value of their property as well as paying for water supplied. Other taxes, such as those levied in the incorporated municipalities, are not imposed and, as already indicated, the revenue derived from these sources meets approximately 28% of the total cost of municipal services provided in the Townsite. The difference is provided by the Bowater Company.

Obviously, then, the residents of the Townsite are in a privileged position by virtue of what amounts to a private subsidization of the costs of their municipal services. Consequently, if amalgamation is achieved Townsite residents will undoubtedly have to pay a larger share of the costs of municipal services.

(17) Not all of the residents of the Townsite are employees of the Company. A rough estimate indicates that at least 30% are employed elsewhere.

While residents of Corner Brook Townsite are understandably alarmed at the possibility of having to relinquish what is obviously a favoured position with respect to municipal taxation, some of the residents of the incorporated municipalities also have doubts as to what they consider might develop as a result of amalgamation. They feel that amalgamation might result in their paying higher tax rates to maintain the superior services of the Townsite rather than helping to provide better services in their own areas. (18)

The Position of the Bowater Company

A complicating factor which requires special mention is the position occupied by the Bowater Company in the Corner Brook area. It is, of course, the primary industry in the area and it is upon this Company that the bulk of the residents are dependent, directly or indirectly, for their economic welfare. Of 1883 people employed in its mill, 413 reside in Corner Brook East, 455 in Corner Brook, 757 in Corner Brook West and 187 in Curling. (19) Thus the Company's employees are fairly well spread

(18) The fears expressed are of course with little foundation. The situation envisaged need not necessarily develop for municipal services not enjoyed by all properties and need not be a charge against all residents. General services would be a charge against the general municipal revenue, but improvements such as streets, paving, etc., need only be charged against the properties benefitting. The usual practice is to charge the cost of such local improvements as a special assessment on the land abutting on the streets where such services are provided.

(19) Figures supplied in October 1953 by the Personnel Superintendent, Bowater's Newfoundland Pulp and Paper Mills Limited.

over the area and are not concentrated exclusively in the Company-operated town of Corner Brook. However, the Company's mill and offices are located in Corner Brook and makes no contribution to the revenues of the incorporated municipalities. It is exempt from the payment of municipal taxation, although, by virtue of the fact that it is responsible for the maintenance of municipal services in Corner Brook, it does not therefore escape what is virtually the equivalent of municipal taxation. Nevertheless, the Company's contribution to the costs of municipal government is concentrated exclusively in one section of the area and does not in any way benefit the incorporated municipalities. Consequently, the incorporated municipalities tend to view the continuance of this situation with disfavour. They feel, quite naturally, that the residents of Corner Brook should now begin to shoulder the responsibilities of local government. They believe, too, that the funds now spent by the Company in assuming the costs of municipal administration in Corner Brook could be better expended to the advantage of the area as a whole.

Under the existing system of municipal government in the area there is little the Company can do. Even if it was not exempt from municipal taxation there would be no obligation for the Company to make payments to the incorporated municipalities for the Company's property lies outside their municipal boundaries. If the Townsite became an incorporated municipality, the existing arrangement would be more or less continued. The Company would simply become a taxpayer within the incorporated municipality of Corner Brook. If, however, amalgamation was achieved,

a more equitable arrangement would result, for the Company would then become a taxpayer within the larger incorporated municipality which would be created.

The Company has indicated a desire to be relieved of the responsibility for the administration of municipal services. Such moves by the Company as the sale of its residential property holdings and the establishment of a Council are indicative of this desire. Moreover, the Company appears to favour amalgamation of the Townsite with the incorporated municipalities. To date, though, it has limited its approval to the principle of amalgamation.

If amalgamation was achieved the Company would be relieved of its obligations with respect to municipal administration on Corner Brook Townsite. Consequently, there would be little justification for continuance of the Company's exemption from municipal taxation and, indeed, a necessary condition of amalgamation would be the repeal of the legislation which permits this exemption. However, the Company has indicated extreme reluctance to forego the exemption even if amalgamation was accomplished and the Company was relieved of its present municipal obligations. (20)

(20) Under Clause 24 of an Agreement between the Bowater Company and the Newfoundland Government which forms the Schedule to Act 2 George V(1938) "All property of the Company within the area of any towns or settlements established by the Company shall be exempt from municipal taxation." A logical interpretation of this clause would indicate that the exemption was justified on the basis that the Company was assuming the responsibility for operating a townsite. However, if that responsibility was removed, as it would be with amalgamation, there can be little justification for continuance of the exemption.

The Company has not made any statement outlining what it considers to be valid reasons for continuance of the exemption from taxation. It does not appear, though, that the objective of the Company in this regard is to escape its financial obligations to the community for it has expressed an intention to make a stated annual grant to any amalgamated municipality which may be created.

There are objections, however, to any amalgamation plan which may leave some doubt as to the extent of the Company's financial contribution and the power of the municipality to impose a tax levy on the Company. A specified annual grant, no matter how generous, does not ensure that the Company's contribution in this form will bear any relationship to necessary increases imposed upon the community's taxpayers due to an expansion of services or an increase in costs. For example, a situation could conceivably develop whereby the Bowater Company decided to expand its operations bringing an influx of new residents to the area. As a result new residential subdivisions have to be developed and the municipality must necessarily extend services to new residential areas. A substantial extension of municipal services undoubtedly increases the costs of municipal administration with the result that local taxes must necessarily be increased. In the situation thus described, the taxpayers in the municipality would be obliged to shoulder an increased tax burden although no corresponding obligation would fall upon the Company to do likewise. Consequently, the Company's grant to the municipality would not always bear the same proportion of the costs of municipal services as would the tax contributions of the rest of the community.

It may well be that the Bowater Company recognizes the vulnerability of its position if it was to become liable for municipal taxation. In the hands of an inexperienced council, taxing powers could be used to load the Company with a heavier-than-necessary burden of taxation in order to lighten the load on individual taxpayers. It must, therefore, be recognized that the Company should be afforded some protection against the possibility of such a development. At the same time, too, the community should be assured that the Company will always make a proportionate contribution to the cost of municipal services.

It is probable that the ordinary methods of assessment for the property tax will be difficult to apply to the extensive plant and property of the Bowater Company. As well, it must be recalled that the Company occupies an important economic position in the community, for, directly and indirectly, it furnishes a livelihood for the majority of residents. In view of the possible difficulties involved in using ordinary methods of assessment it would appear that the amount of the Company's contribution could be determined by mutual agreement between the Company and the amalgamated municipality. Thus, if the two parties agreed to a specified amount for the first year it could be further agreed that in the event an increase is necessary in local tax rates, the Company's contribution would be raised in the same proportion that local rates were increased. Moreover, it could be further provided that in the event the Company and municipality could not reach a satisfactory agreement, the Provincial Government, through the Department of Municipal Affairs, might act as the final arbitrator of any differences between the Company and the municipality. Through this procedure it is

possible to provide a measure of protection for both the Company and the municipality without the necessity of repealing the legislation granting the Bowater Company exemption from municipal taxation.

A compromise arrangement along the foregoing lines has in fact been adopted. When municipal representatives from the Greater Corner Brook area met with the Premier and members of the Provincial Government it was revealed that the Bowater Company would not agree to the repeal of the agreement whereby the Company was granted exemption from municipal taxation. (21) At that time the Provincial Government indicated that while it had the power to break the agreement whenever it wished, it would not do so by unilateral action. Even though the agreement had been negotiated by the old Commission Government of Newfoundland (22), the Provincial Government felt duty bound to honour the agreement unless the Company consented to its abrogation. There is, of course, considerable justification for this position for the breaking of an agreement by unilateral action would undoubtedly undermine the confidence of others who have agreements with the Provincial Government. Nevertheless, the Provincial Government suggested that municipal representatives from the Greater Corner Brook area should attempt to come to some understanding with the Bowater Company with respect to the method whereby it would be willing to contribute to the cost of municipal services provided by any amalgamated municipality which might

(21) This meeting occurred in May, 1954.

(22) The Government of Newfoundland prior to Confederation in 1949.

be established. (23)

It must be pointed out that the Bowater Company was not opposed to amalgamation and was willing to make what it considered a fair annual contribution to the revenues of an amalgamated municipality even though it was unwilling to agree to repeal of the agreement whereby it was exempted from municipal taxation. Subsequent discussions between representatives of the municipalities in Greater Corner Brook and the Bowater Company produced a written statement of the Company's willingness to contribute an annual amount of \$100,000 annually to the revenues of the proposed amalgamated municipality. This annual grant in lieu of taxes would also be subject to periodic review in the light of any upward revision of the municipal tax rates of the new municipality. As well, the Company agreed to transfer the assets of Corner Brook Townsite to the amalgamated municipality.

The Fear of Increased Taxation

Bearing in mind the Newfoundlander's traditional hostility to the real property tax it is not unlikely that this may constitute the biggest single obstacle in the way of achieving amalgamation. In the

(23) The Provincial Government indicated that the amount of the Company's contribution should be stated in writing and the implication was clear that if the Bowater Company ever refused to make this annual payment the Provincial Government would have little hesitation in abrogating the agreement granting the Company exemption from municipal taxation.

course of three visits to Newfoundland the writer has been repeatedly asked the question: "How much will amalgamation cost?" Implicit in this type of question was an underlying belief that amalgamation was some type of devious scheme devised for the sole purpose of extracting more tax revenue from the residents of the Greater Corner Brook area. When amalgamation proposals were reported in the local newspaper its columns were subsequently filled with letters pointing out that taxes would undoubtedly climb to astronomical heights. When public meetings were held throughout the area to consider the merits of amalgamation, municipal officials were constantly asked detailed questions with respect to the scope and extent of the services which would be provided after amalgamation. The apparent objective of this type of questioning was to prove that the residents of the area would be required to pay for all kinds of expensive services which they did not want. Questioning of this kind also revealed an astonishing lack of knowledge of the purpose of local self-government which seeks to provide the means whereby the determination of the scope of local administration becomes the responsibility of the residents of the community.

This fear of increased taxation is offset by the compelling need for area-wide control and administration of certain municipal services. There is, therefore, a strong desire on the part of a substantial number of citizens to provide the means whereby the area as a whole can tackle its most urgent problems. (24) Consequently, this will undoubtedly become the

(24) These problems were outlined in Chapter II.

deciding factor in determining the outcome of any proposal for amalgamation.

It should be noted, in conclusion, that the Provincial Government, even though it has the power, will not impose amalgamation on the area. Tangible evidence will have to be provided that the majority of residents of the area want amalgamation. Consequently, a plebiscite will have to be taken to determine public approval or disapproval of any amalgamation proposal.

Considerable progress has already been made toward this end and it is likely that a plebiscite will be held in the area by the end of 1954. Through the Humber Municipal Association, a voluntary group formed by the municipalities in the area, the question of amalgamation has been raised frequently and discussed in the press and on the radio. To ensure majority public approval, however, to any amalgamation proposal, the Association will necessarily have to put on a concerted drive to inform the residents of the area as to the benefits which can be achieved as the result of amalgamation.

The Local Government Act of 1949 does not specify the manner in which a plebiscite should be conducted, i.e., whether a separate one must be taken in each municipality, or whether for this purpose an area-wide plebiscite can be taken. The Provincial Government has, however, indicated that the latter method is preferable. To adopt the former procedure is to court the possibility of an impasse where one municipality might reject amalgamation while the others favour it. The result would therefore be too indecisive to proceed. On the other hand, if the plebiscite was on an area-wide basis, the result would have to be conclusive - either in favour or opposed.

IV. MUNICIPAL GOVERNMENT AND ADMINISTRATION OF THE
AMALGAMATED MUNICIPALITY OF GREATER
CORNER BROOK

If the principle of amalgamation is accepted as a means of providing more effective municipal administration in the Greater Corner Brook area, some consideration must be given to an appropriate form of government for the amalgamated municipality. As well, consideration should also be given to the financial requirements of the new municipality, at least for the first year of operations.

Forms of Municipal Government

The form of municipal government and administration which is adopted for the amalgamated municipality will have an important bearing upon the ultimate success of amalgamation. In both Canada and the United States a variety of forms of municipal government have evolved, many of which, while reasonably effective in one community, might conceivably be ill-suited to the needs of other municipalities. Moreover, some forms of municipal government, while possibly providing a more efficient system of administration, may not always be instrumental in maintaining effective local self-government.

The governing body of any municipal corporation is the municipal council, the members of which are elected by the residents of the municipality. It is upon the council as a whole that the responsibility

rests for carrying out the duties and exercising the powers of the corporation as defined in its charter. The council's responsibilities for the exercise of the powers vested in it include both legislative and administrative duties. Inasmuch as the Council must combine both legislative and executive functions, it therefore becomes necessary to develop the institutional means whereby the Council can discharge effectively this dual responsibility. Traditionally, Canadian municipalities have resolved this problem through the development of the committee system.

Council committees are usually of two kinds, standing and special committees. Standing committees normally have jurisdiction over a section of council operations. As a rule a standing committee exercises general supervision over one or more civic departments. Thus, for example, a standing committee on works would have jurisdiction over a Department of Public Works and such other technical departments as may have been established. Undoubtedly the most important standing committee established by most municipal councils is the committee on finance which not only has jurisdiction over the finance and administrative departments, but also may have the responsibility for scrutinizing the financial operations of all departments. (1)

(1) The scope of the work of a committee is usually indicated by its title. Thus, for example, the City of Winnipeg has six standing committees as follows: Committee on Finance, Committee on Works, Committee on Public Safety, Committee on Utilities, Committee on Personnel and Legislation and the Committee on Health. As a consequence almost any important responsibility assigned to the Corporation of the City of Winnipeg comes with the jurisdiction of one of these committees.

Standing committees are usually established by council by-law and meet at regular intervals throughout the council year. Special committees, on the other hand, are usually established to study and report to council on some particular matter. When this has been done the special committee is usually dissolved.

The establishment of standing committees provides the means whereby the council can bring about an effective division of labour. They serve the useful purpose of enabling the council to exercise control over the administration of the policies it adopts. More importantly, perhaps, the committees play an important role in providing legislative leadership within the council. A committee which has been assigned general jurisdiction over a section of the council's activities tends to develop a specialized interest in the matters coming within its purview. The close contact that the committee has with the head of one or more civic departments brings the committee members into more intimate contact with the operating problems of the appointed administrative or technical officer. The committee brings matters to the attention of council through the submission of positive recommendations for the resolution of particular problems which might otherwise have escaped the attention of the council. It is to the committees, and particularly the committee chairmen, that the council as a whole looks to for guidance and legislative recommendations regarding the activities under their jurisdiction. It is important to remember that for most members of council their work as representatives of the public is only a part-time activity which by and large provides them with little remuneration. Consequently, they cannot

afford to spend too much time in lengthy and frequent council meetings. Committees, therefore, have proven to be an invaluable means of speeding up the work of the council as the following commentary clearly indicates:

"Many advantages are gained by referring matters to committees. To assign problems to smaller groups speeds up the work and eliminates much speech making in council. Committees sift out the detail and bring matters before council in the form of positive recommendations based on their study. Where issues come to council without any recommended solution, endless time is lost in arriving at a consensus of opinion of the members but a positive proposal will usually become accepted without further discussion. Moreover, committee members become acquainted with the work under their jurisdiction in a more intimate way than is possible if they try to cover the whole field of municipal activity, and their recommendations are correspondingly more valuable!"(2)

The committee system has another important advantage in that it brings the amateur and the expert in government into a closer working relationship. Self-government means, among other things, that the expert or the professional administrator shall be responsible to the amateur citizen representatives serving on elective bodies. This does not mean of course that the elected municipal councillor's view should prevail on purely technical matters. But it does not mean either that the politician should become merely a convenient rubber stamp for the decisions of the professional administrator. Local self-government requires that the residents of the municipality accept collectively the responsibility of governing themselves. It is their responsibility for ensuring that local government is conducted in accordance with the wishes of the governed.

(2) Crawford, op. cit., p. 109

More particularly, this becomes the responsibility of the people they elect to represent them in the municipal council. However, this implies in turn that the elected representative must be able to play a significant role in the determination of local policies and in ensuring that these policies will be administered effectively. To a considerable extent this objective can be accomplished through the council-committee system whereby the committees exercise a general supervision over the work and the staff under their jurisdiction, consult and advise with the officers responsible for such work, and make reports and recommendations to council on the matters within their purview.

The committee system can be instrumental in furnishing the means whereby the member of council can make a positive contribution toward the determination of policies which he believes to be in accord with the wishes of the citizens whose interests he represents. The extent to which the member of council is able to do this enhances the capacity of the citizen to alter or change policies with which he finds himself unable to agree.

It has also been suggested that one advantage of the council-committee system is that it brings the amateur legislator and the expert administrator into a close working relationship. In this context the members of council constantly have available the expert knowledge of the administrator who must administer the policies determined by the council. This knowledge which derives in part from the problems involved in attempting to administer public policy is particularly invaluable to the council. A good administrator can therefore suggest to a committee of

council some of the difficulties which have been encountered and which can be remedied by a subsequent legislative recommendation of the committee to the council. At the same time a working relationship of the kind suggested provides the administrator of a department with an appraisal of public opinion which, if there is to be real local self-government, must be brought to bear upon the formulation and execution of policy. It is the elected member of council, answerable to the residents of the municipality, who can best provide this appraisal or assessment of the desires and needs of the community. As a result the formulation and execution of public policy at the local level can become the joint product of the elected representative of the citizens and the skilled, expert departmental civic administrator, always ensuring that final authority rests with the elected municipal council responsible to the community as a whole. In this relationship the expert administrator is, as the saying goes, "always on tap but never on top."

While some variation of the council-committee system is in vogue in the majority of municipalities in Canada, other, quite different, forms of government have also been adopted. Possibly the most significant departure from the traditional council-committee arrangement is the Council-Manager system of municipal government.

The Council-Manager Form of Municipal Government

The Council-Manager form of municipal government, or the "city manager system", as it is frequently known, is based upon a very different

approach to local government than that involved in the council-committee system. Primarily, the underlying principle of the council-manager system is the concentration of all administrative authority in a single official known as the city manager. In the general, the main features of council-manager government are as follows:

A small council elected at large on a non-partisan ballot determines all municipal policies which are not set forth in the charter itself, adopts ordinances, votes appropriations, and is required to appoint a chief executive officer called a city manager. The council is the governing body of the city, and the city manager is its agent in carrying out the policies which it determines.

....It is definitely understood that the council deals with administration only in a formal manner through the city manager, and that administrative functions are at no time delegated to committees or individual members of the Council.

The duties of the city manager as set forth in most council-manager charters, broadly stated, generally include: (1) To see that all laws and ordinances are enforced. (2) To exercise control over all departments and in accordance with civil service regulations appoint, supervise, and remove department heads and subordinate employees of the city. (3) To make such recommendations to the council concerning the affairs of the city as may seem to him desirable. (4) To keep the council advised of the financial condition and future needs of the city. (5) To prepare and submit the annual budget of the council. (6) To prepare and submit to the Council such reports as may be required by that body. (7) To keep the public informed, through reports to the council, regarding the operations of the city government. (3)

The concentration of such a wide range of administrative authority in the hands of a single appointed official may result in more efficient and economical administration of municipal services. If that

(3) Recent Council-Manager Developments and Directory of Council-Manager Cities (International City Manager's Association, Chicago, Ill., 1952) pp. 2-3.

were the sole objective of local government, not much objection could be raised to the council-manager form of government. However, as has been indicated, local self-government implies that government shall be conducted in accordance with the wishes of the governed. To this end the citizen is expected to assume some responsibility for determining how the municipality shall be governed. This objective can be accomplished to some extent by the periodic election of members of the council who shall be responsible for the conduct of municipal government. It has been noted, too, that the formulation and execution of public policy at the local level should be the joint product of the members of council representing the community and the appointed administrative officers who carry on the day-to-day operation of municipal business. Moreover, the council should be in a position to influence policy decisively and control its administration effectively. It would appear that these objectives are insufficiently appreciated in the council-manager system of government.

While it is true that the theory of the council-manager form of government implies that the final authority rests with the elected council, the concentration of all administrative authority in the manager places that official in a position where he could become the real political leader of the community, a function which is obviously not part of his official position. Much, however, depends upon the calibre of the official. This difficulty derives largely from the fact that the council must devote itself solely to settling questions of policy and all

administrative functions are entirely the responsibility of the city manager. But if the council is divorced from a closer knowledge of administration other than that provided in reports to council by the city manager, it becomes difficult for the council to exercise genuine political leadership. In fact, many of the exponents of the council-manager form of government in the United States have placed little emphasis on the function of the council. The primary emphasis was directed to the powers of the city manager and what he could be expected to accomplish. In part, this emphasis upon the role of the city manager stems from the fact that the whole concept of the plan was based on the idea that a municipal corporation should be administered in much the same fashion as a business corporation. Consequently, the municipal council could be compared to the board of directors of a business corporation and the city manager to the general manager of a business enterprise. In general, the board of directors of a business corporation play a relatively inactive role in management or even in the determination of business policy for that matter. As a rule theirs is an advisory role or, at best, a purely negative controlling function. For the most part the leadership and initiative is provided by the president or chief executive officer of the business corporation. As long as this officer manages the business efficiently and profitably the board of directors will rarely interfere. However, a municipal corporation is established to accomplish quite different purposes than a business corporation and the attempt to equate municipal administration with business management can

have a detrimental effect upon the former as the following commentary indicates:

The emphasis on the city manager and his powers under the charter did not encourage the development of the best kind of councilmanic leadership. This emphasis was a part of the general attitude that the city should be managed like a business corporation, that the council was just like a corporation board of directors, that the councilmen should be nonpolitical businessmen, and that their main obligation should be to refrain from interfering with his administrative work.

For example, the Dallas (Texas) News, which carried on one of the most thorough and intelligent campaigns for the adoption of the city manager plan, for nearly thirty years hammered repeatedly on the argument that the 'whole scheme of corporate management should be applied to the affairs of the city.' After the adoption of the city manager plan the paper argued that the city should be managed like a business corporation, with the city manager 'comparable to the president' and with the city council 'a responsible, but only slightly active, board of directors.' Putting this formula in specific terms, it suggested that the council should choose its city manager and then 'subside for two years.' (4)

It is clear that this concept of the council-manager plan robs the elected municipal council of any real opportunity for playing a vigorous and active role in municipal affairs. In the long run the result may well be a lessening of the capacity for local self-government. Denied the possibility of displaying active leadership in the resolution of municipal problems, the members of a municipal council may simply become a convenient 'rubber stamp' for the policies recommended by a city manager. A council in such a position will probably enjoy little prestige

(4) MacDonald, Austin F., American City Government and Administration, (Thomas Y. Crowell Co., New York) 5 ed., 1951. pp. 249-250

and importance in the public esteem while the position of the city manager will be considerably enhanced. Consequently, able citizens will hardly be encouraged to serve as members of a body which does not provide an opportunity for actively participating in the development of municipal policies and where the office itself carries little prestige and dignity. A deliberative body of this kind will hardly provide a forum for discussing and debating alternative courses of action with respect to municipal matters and, as a consequence, the general public may be denied the opportunity of gaining an understanding of the issues involved in municipal administration.⁽⁵⁾

It must be noted that the council-manager form of municipal government was developed in the United States. It is in that country where it has been most widely adopted primarily as a means of reforming and eliminating certain undesirable practices which had developed in American municipal government. Widespread dissatisfaction with municipal government in the United States led to public demands for reform. The developments which contributed to this dissatisfaction have been summarized as follows:

There was ample reason for dissatisfaction with municipal government in America during the last decades of the nineteenth and the early years of the twentieth century. Especially in the larger cities the municipal governments were controlled by party organizations that were primarily

(5) A municipal council may be regarded as having an important educative function in a democracy. It is in the debates and discussions in the committee room and council chamber that the general public acquires some understanding of the issues involved in local administration.

concerned with keeping themselves in power and that were willing to use public offices and public money for their own purposes. The most influential citizens were preoccupied with their business affairs and looked on politics as a disreputable game, unworthy of their participation, although they may have made use of the political machine when it suited their interests to do so. The election of many administrative officials and the appointment of others through the spoils system made the development of a career service in the city administration impossible and strengthened the grip of the political machine on municipal government. (6)

By the end of 1952 over 1100 American municipalities had adopted the council-manager form of government. Its acceptance in Canada has been remarkably slow and by the end of the same period only 37 Canadian municipalities had adopted the plan. Moreover, where it has been adopted in Canada the former committee system has frequently been retained, sometimes in a slightly modified form. As a rule the manager's position has not been emphasized to the same extent as in the United States and he often functions more as an administrative coordinating officer rather than as a dominant leader. The council still plays a vigorous and active role and rarely does it 'subside for two years' after choosing a city manager. Commenting on the slow growth of the council-manager system in Canada, a long-time observer of the Canadian municipal scene said:

This form of civic government has made comparatively small progress in Canada, probably due to the absence, or existence in less severe form, in Canada of the

(6) Stone, H.A., Price, D.K., and Stone, K.H., City Manager Government in the United States, (Public Administration Service, Chicago, Illinois, 1940) p. 3.

conditions which brought about its spectacular spread in the United States. Many United States cities had councils unwieldly in size and procedure. Some were victims of predatory politics. The attempt to improve conditions by giving more power to elected mayors had broken down in some cities and the persistence of the method of selecting important administrative officers by popular election had continued to produce serious results....These causes and others tended to promote the spread of the council-manager system in the United States. On the other hand, most Canadian cities have comparatively small councils. The business of cities is not the prey of provincial and federal patronage. All ballots are non-partisan and all are short. All administrative officials are appointed by the council and not chosen by election....Most department heads are not interfered with seriously in the discharge of their duties. (7)

In comparing the council-committee and council-manager forms of municipal government it is apparent that the former provides greater opportunities for active citizen participation in municipal affairs. Moreover, it does ensure that the residents of a municipality can play a more vigorous role in shaping municipal policies through an elected council which has significant functions to perform. As well, through committees the administration and implementation of policy can be controlled more effectively and citizen knowledge of municipal problems can also be increased. An elected council under this system, by its closer contact with and more active participation in the conduct of municipal business, can provide real and effective leadership in dealing with local problems. Consequently, there is a greater possibility that local government will in fact be self-government when the primary

(7) Brittain, op. cit., pp. 17-18.

responsibility devolves upon an elected council rather than upon a single appointed official. More importantly, perhaps, is the fact that an elected council with real and significant responsibilities to discharge can maintain a much more lively interest in local issues when alternatives are vigorously debated in the council chamber and committee room. The clash of opposing points of view can add a dramatic touch to municipal government with the result that widespread public interest is aroused. Such might not be the case under a council manager arrangement if the council is content to subscribe without argument to the recommendations advanced by the city manager. While the council-manager system need not necessarily produce the results indicated, the fact that there is a tendency in this direction is sufficient grounds to reject it as an appropriate form of government for Canadian conditions.

The foregoing comparison of the council-committee and council-manager forms of government suggests that the former, suitably adapted to local conditions, has much to commend it for application in the proposed amalgamated municipality of Greater Corner Brook. When it is recalled that local government is of comparatively recent origin in Newfoundland it becomes imperative that the form of government adopted for the amalgamated municipality of Greater Corner Brook should be conducive to encouraging citizen participation and interest in the acceptance of responsibility for local affairs. Consequently, consideration will be given to the detailed application of the council-committee system in

Greater Corner Brook.

A Form of Municipal Government for
Greater Corner Brook

The powers of government, involving both legislative and executive functions, which are vested in the new municipal corporation created as a result of amalgamation, will be exercised by the municipal council. As a legislative body the municipal council will be composed of representatives of the residents of the area served by the municipality. The most important consideration in this connection is the means adopted to ensure that the individuals elected to the Council are truly representative of the whole area. This matter becomes all the more important when three separate municipalities have been consolidated to form one. (8)

Despite the importance of the representative nature of the Council this should not be secured at the expense of legislative and administrative efficiency. Primarily a municipal council is engaged in making important decisions and it is a widely accepted principle that the smaller the group the more effective it is likely to be as a decision-making body. As a general rule the council should therefore be large enough to ensure public confidence in its representative nature and yet small enough to allow for effective decision-making. A Council comprising

(8) References to the amalgamated municipality throughout this chapter should be taken to refer to the amalgamation of the three municipalities - Corner Brook East, Corner Brook West and Corner Brook Townsite as suggested earlier.

eight to ten members would undoubtedly be sufficient for the proposed new municipality.

If the problem of numbers can be resolved satisfactorily there still remains the question of method in electing members of Council. In this connection many students of municipal government are of the opinion that members of a municipal council should be elected at large.⁽⁹⁾ This means that the voters in a municipality would all participate in the election of members of council. Chief among the disadvantages of this method of election is the fact that it presents the individual voter with too large a number of choices. If, for example, it was required that six councillors were to be elected at large, a voter might be faced with a lengthy ballot containing as many as twelve or more names, depending on the number of candidates who choose to run. From this lengthy list the voter must choose six. This is obviously too large a number to expect each voter to be able to evaluate intelligently. Even if he makes a conscious effort, and few voters are likely to, he can hardly secure sufficient information about all candidates to be able to choose six. Consequently, this situation may tend to confuse the voter and leave him somewhat apathetic with respect to municipal elections.

(9) See Brittain, H.L., *op cit.*, pp. 141-144. It is suggested that election at large would eliminate the sectional approach to municipal affairs which is believed to have been fostered by the ward system of election. It is said, for example, that election at large would produce a type of candidate for municipal office who would take the broader view of the city's needs and not a particular section of it. This argument appears somewhat flimsy for it is difficult to imagine that the size of the constituency can be an important factor in enlarging the horizon of a candidate for municipal office.

In view of the foregoing it would appear that the desirable system should embrace a small number of choices, no more than two or three, and in this respect the ward system has much to commend it. Using the ward system combined with election of the mayor at large would cut down on the number of choices each voter would have to make. This approach, or some variation of it, could be adopted in the new municipality. The principal difficulty involved would undoubtedly lie in the creation of the wards. If old sectional ties are to be broken the wards or districts created for election purposes should cut across the former separate towns. In other words, particular care should be taken to ensure that no ward is contained entirely within the area formerly served by any of the separate towns.

While the composition of the municipal council and method adopted for electing its members is important, in the final analysis the effectiveness of the Council as the governing body of the new municipality will depend, to a large extent, upon an efficient administrative organization. The adoption of sound and progressive municipal policies will matter little unless the resources are provided whereby they can be successfully implemented. Municipal administration in this sense involves the appointment and selection of capable administrative and technical personnel, the provision of a clear definition of their responsibilities and the organization of their activities in a manner which will permit maximum efficiency in accordance with the policies prescribed by the Council. Moreover, the administrative organization must be developed in accordance with the scope and nature of the services which are to be administered by

the amalgamated municipality.

The scope of the responsibilities which will be assigned to the municipality and the basic services it must render can be summarized as follows: First, there are those matters concerned with general administration and finance. These are taxation, assessment, municipal records, tax collection, etc.. Second, there is the provision of public services and control of municipal development involving street construction, maintenance, refuse collection and disposal, street lighting, building inspection, zoning, planning, street cleaning, snow removal, paving, etc.. Third, there is the provision of services and the enforcement of regulations involving public safety which includes the development of fire protection services and the enforcement of regulations designed to prevent fire outbreaks, the control of traffic and the administration of regulations designed to protect the health and welfare of residents.

This broad division of the scope of municipal responsibilities suggests a basis for the organization of administration in the proposed amalgamated municipality. It will be noted that the primary characteristic of this division is the grouping of similar functions together and this, in turn, indicates the means of providing effective supervision and coordination of municipal administration.

While the Council is ultimately responsible for the conduct of administration, its members cannot supervise the day to day activities involved in the administration of municipal services. Nor do they possess the technical knowledge necessary for such a task. Despite this, members of the Council must be kept informed of the progress made with respect to

the implementation of the policies they have laid down. They must, therefore, be able to control the actions and activities of all personnel in the permanent employ of the municipal corporation. This necessary control cannot be exercised effectively if too many officers are directly responsible to the Council for the performance of their assigned duties. Such a situation would inhibit the coordination and integration of municipal services to the degree necessary for prudent and efficient administration. Experience indicates that a municipal council can control municipal administration most effectively when activities are grouped according to similarity of function and the responsibility for management and supervision in each major group is assigned to a very limited number of senior officers responsible to the Council.

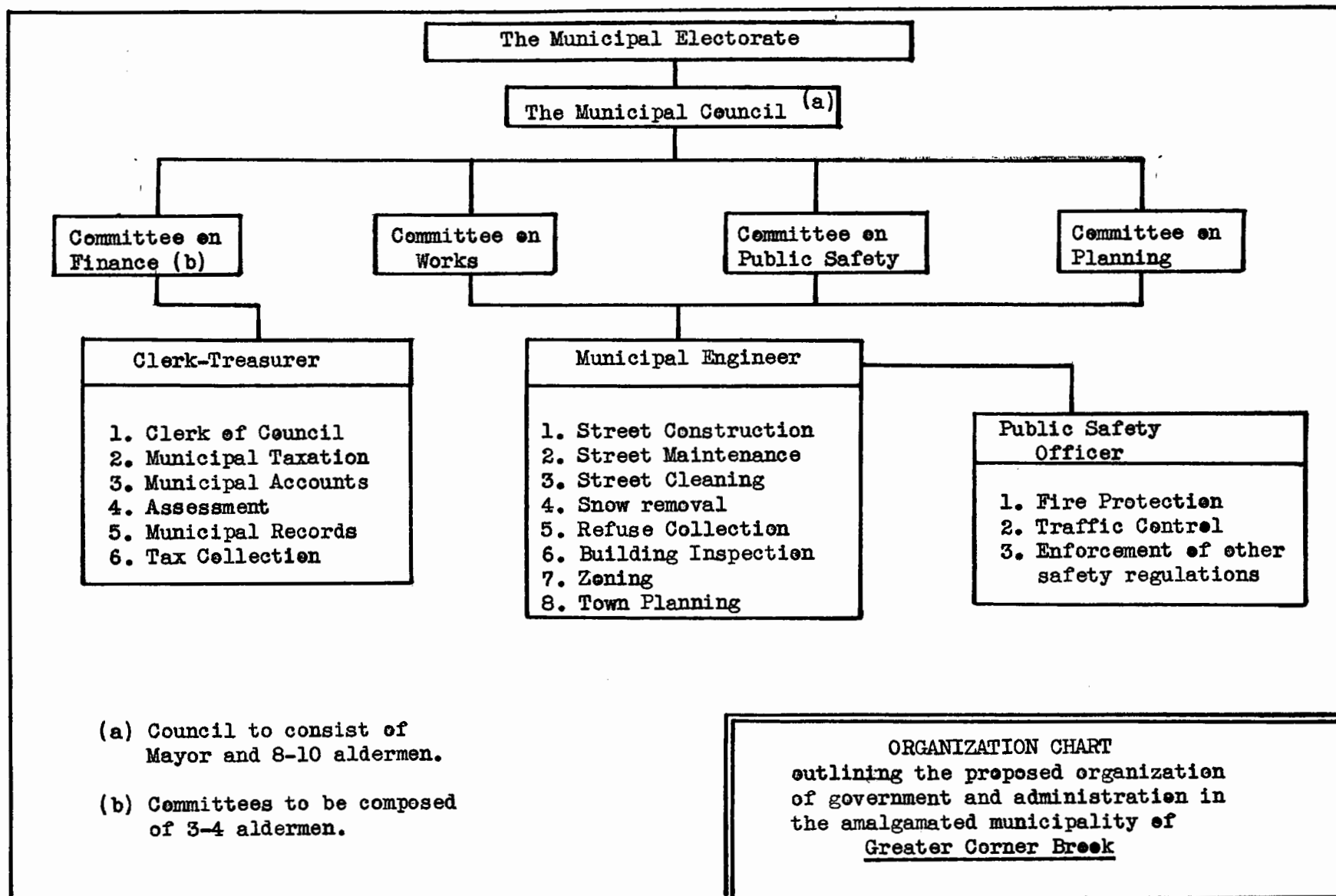
From the foregoing and in accordance with the grouping of functions indicated previously, the following posts would appear to be necessary:

- (a) Clerk-Treasurer
- (b) Municipal Engineer
- (c) Public Safety Officer

The individuals appointed to fill these posts should be responsible, subject to the control and direction of the Council, for the general management and supervision of the following services and activities assigned to their jurisdiction: (see organization chart page 101)

- (a) Clerk-Treasurer: Clerk of the Council and chief finance officer of the municipality. As such he should also be responsible for all matters relating to municipal taxation, the collection of all taxes levied, preparation and maintenance of municipal accounts and records, assessment, and the supervision of all personnel as it may be necessary to employ for the efficient performance of these duties.
- (b) Municipal Engineer: Would be responsible to the Council for all matters relating to street construction, street maintenance, street cleaning and snow removal, refuse collection and disposal, building inspection, zoning, town planning, the repair and maintenance of the necessary mechanical equipment and the supervision of such personnel as it may be necessary to engage for administration of these services.
- (c) Public Safety Officer: The public safety officer would be primarily responsible for the operation of the municipality's fire protection service, the development of precautionary measures designed to prevent fires and the enforcement of such regulations as it may be necessary to adopt in order to eliminate fire hazards. In addition, the public safety officer could be given the responsibility for the enforcement of regulations necessary for the control of traffic and such other regulations which the Council is empowered to adopt with respect to public welfare and safety. As well, he should be responsible for the supervision of such personnel as it may be necessary to employ for efficient performance of these duties.

It will be noted that the major responsibilities have been assigned to the clerk-treasurer and municipal engineer. They should, therefore, be considered the senior appointed officials directly accountable to the Council. The public safety officer will, in all probability, have to work in close cooperation with the municipal engineer, particularly with respect to the use and maintenance of the mechanical equipment required for the fire fighting service. As well, some of the



regulatory enforcement activities of the public safety officer may well be integrated with similar functions assigned to the municipal engineer. Thus, for example, it may be possible to combine building inspection with the inspection necessary for the elimination of fire hazards. For this reason it may be found more feasible to permit the municipal engineer to exercise nominal control over the administration of some of the activities assigned to the public safety officer.

While these officers will be responsible to the Council for the day-to-day administration of the municipal services and activities under their jurisdiction, they need not necessarily be considered as mere passive recipients of the policies laid down by the Council or, to paraphrase Tennyson, "Theirs not to reason why, theirs but to do and try." Policy and administration can hardly be separated so completely that the former is considered as having no relationship to the latter and vice versa. Experience indicates that the attempt to administer public policy reveals serious gaps requiring remedial action. On occasion, too, the knowledge acquired through constant attention to the administration of public policy reveals the need for the development of new policies or a new approach to existing policies. Thus, instead of a complete separation of policy and administration, the relationship is, in fact, very closely linked - - policy begetting administration and administration begetting policy. A complete divorce of the two is obviously a practical impossibility. As a consequence, the principal officers of the Council, the clerk-treasurer, the municipal engineer and the public safety officer should be

considered the principal technical advisors of Council in connection with their respective fields of activity. (10)

The Council should be able to look to these officers for skilled, impartial advice and, in so doing, the Council will be in a much better position to develop and formulate effective policies with respect to municipal services and activities when its members can obtain the competent advice which its senior officers should be able to provide. This advisory role of the appointed officers becomes important when it is recalled that members of the Council have only a limited amount of time at their disposal and which they can devote to municipal affairs. Moreover, it must be remembered that the great bulk of municipal services are technical and complicated in nature and the problems involved, if they are to be understood by members of Council, will need to be explained by the senior appointed officials. Despite this repeated emphasis on the importance of the advisory role of the Council's officers, it is the Council which, in the final analysis, must assume the responsibility for decisions with respect to municipal policy.

Each senior officer will require a staff to assist him in the

(10) This point needs emphasis for there is a recurring tendency in municipal administration in both Canada and the United States to ignore the contribution a senior municipal officer can render through providing advice on policies under discussion by Council. There are many examples where municipal officers are frequently ignored in the development of Council policies which concern the activities they are called upon to administer. As a result the valuable advice which is based upon this intimate connection with the administration of public services is lost.

administration of the activities and functions assigned to him. It is desirable that this staff be large enough to relieve the senior officer of the necessity of becoming involved in too many detailed responsibilities. The major portion of the time of each officer should be devoted to management and supervision with the detailed work being undertaken by a competent staff responsible to him. It is not possible to make any reasonable estimate of the total personnel force which would need to be employed by the new municipality. In the case of the clerk-treasurer and the municipal engineer it will be necessary to employ technical assistants who will devote all or part of their time to specific duties. For example, it is quite likely that the clerk-treasurer will require at least one full-time accountant, as well as an assessor and a tax collector, together with clerical and stenographic assistance. Likewise, the municipal engineer will require the services of a number of skilled personnel, but it is hardly possible to determine, for example, whether building inspection will require the full-time attention of one person or whether this activity might effectively be combined with some other duty. Similarly, the public safety officer will require a nucleus of personnel who can be trained in firefighting techniques. It may prove to be feasible to augment this small permanent force with trained volunteers who can be called out in an emergency. Personnel requirements cannot be reliably estimated until some time after amalgamation has been achieved and when the volume of activity which will result can be accurately determined.

Before leaving this subject of government and administrative organization for the amalgamated municipality, some consideration should be given to Council organization for the efficient conduct of all business that comes before it.

It will be appreciated that the Council is responsible for the adoption of policies concerning a wide range of activities and for exercising control over administration in general. Consequently, it will require careful utilization of the time at its disposal if Council is not to become immersed in sheer volume. For this reason, the use of committees will undoubtedly prove desirable. There need not be many committees, certainly no more than four. Each committee should be concerned with a broad area of municipal administration. For example, committees could be formed to deal with the following matters: Finance and taxation, public services, planning and development, and public safety. The principal advantage accruing from the use of such committees lies in the fact that when problems requiring considerable investigation come before Council they can be referred to the appropriate committee for more detailed consideration and report back to Council.

The use of such committees enables Council to give adequate consideration to the various matters which come before it without requiring the complete attention of all members of Council at all times. These committees, to be effective, should not comprise more

than three or four members of Council. (11) In addition, the appropriate appointed officer can become an ex-officio member of the committee most intimately concerned with activities for which he is held responsible. In such a capacity he might also act as secretary of the committee. Thus, the clerk-treasurer could act as secretary of the suggested finance and taxation committee, the municipal engineer the secretary of the public services committee, etc., In suggesting the use of the committee system, it must be emphasized that the committees do not act as a means of by-passing the Council for the reports and recommendations of the committees must eventually be considered and approved by the Council as a whole. As well as permitting the Council to conduct its affairs more efficiently, these Committees can also serve as an effective link between the elected council and the administration.

The Financial Resources of the
Amalgamated Municipality

Following the amalgamation of the Towns of Corner Brook, Corner Brook East and Corner Brook West and the consolidation of municipal

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- (11) Some consideration might also be given to the appointment of additional ex-officio members of the committee from the general public. For example, citizens with some specialized knowledge might be asked to serve on a committee where their knowledge and experience might be valuable. Such a procedure also has the additional advantage of encouraging more active citizen interest in municipal affairs and building up a potential pool of capable candidates for municipal office. In the Corner Brook environment, where experience with the local government is extremely limited, this factor cannot be over-emphasized.

administration the area will undoubtedly possess a more effective means of administering municipal services. It has already been indicated that the Corner Brook area must be provided with essential municipal services on a larger scale, both quantitatively and qualitatively, than has hitherto been the case, if a desirable standard of urban community life is to be achieved. The extent to which it is considered desirable to proceed in this direction must be determined, in the final analysis, by the residents of the area acting through their elected representatives. In many respects this will be the primary task confronting the new Council during its first months in office. Consequently, the decisions which will have to be made must of necessity be considered in the light of the fiscal resources and revenue potential available to the amalgamated municipality.

An examination of the financial statements of the municipalities in the area can help to provide an estimate of the revenues which will be available. The most important source of revenue is, of course, the tax on real property. In addition, considerable revenue can be raised from other local taxes levied on entertainment, business, coal and fuel oil, and from license and permit fees. Table I on page 108 provides an estimate of the revenue yield from the property tax and other local levies.

TABLE I

Estimated Yield Local Taxes
Amalgamated Municipality
of Corner Brook

Population	Total Property Valuation (a)	Estimated Yield Property Tax (b)	Estimated Yield Other Taxes (c)	Total Tax Yield
16,500	\$17,000,000	\$127,000	\$70,000	\$197,000
<p>(a) This is the combined total of property valuations in Corner Brook East, Corner Brook West and Curling.</p> <p>(b) This amount represents the approximate yield of the property tax if levied at the rate of $\frac{3}{4}$ of 1 per cent on 100 per cent of assessed valuation or \$7.50 for each \$1000 of assessed value. This is the rate currently levied in Corner Brook East and Corner Brook West.</p> <p>(c) The estimated yield of other taxes was determined by combining the present yield of such taxes currently imposed in Corner Brook East and Corner Brook West with a rough estimate of the potential yield of such taxes in Corner Brook where they are not presently levied. It is undoubtedly a conservative estimate for there is a greater concentration of business and commercial enterprises in Corner Brook than in the incorporated municipalities.</p>				

The estimated amount of \$197,000 does not represent the complete yield of local taxes for it does not include the revenue which will accrue from the contribution of the Bowater Company. It has already been indicated that the tax position of the Company has not yet been clarified. Despite any uncertainty surrounding the legal position of the Company with respect to taxes it is quite clear that it will have to contribute to local revenues in some form or another. While it is not possible to determine with any degree of precision the revenue which will accrue

from this source, it is, nevertheless, possible to estimate that this will hardly be less than \$100,000 annually. (12)

By adding this minimum figure to the estimated yield of all other local taxes it can thus be anticipated that the amalgamated municipality can expect to obtain some \$297,000 in revenue from locally imposed taxes. In addition the municipality can expect a further amount of \$25,000 annually by way of the revenue grants currently provided by the Provincial Government to all Newfoundland municipalities.

Bearing in mind the uneven development of the area as well as the fact that the new municipality must start improving services immediately, if it is to retain public confidence and if local residents are not to be quickly disillusioned with amalgamation, it has been suggested that the Provincial Government might provide an adjustment or development grant. The provision of such a grant would enable the municipality to start improving services immediately, particularly in the areas that are relatively underdeveloped in this respect in comparison to Corner Brook Townsite. A grant of this kind should be provided for a five year period on a graduated basis, descending in amount each year, thus enabling the municipality to introduce gradual increases in tax rates as the amount of the grant is reduced. If amalgamation is approved by the residents of the

(12) The Company has already indicated that it would be willing to pay a grant in lieu of taxes of this amount for a long period. This offer is considered to be too low and the Company is currently considering a higher amount.

Corner Brook area the Provincial Government has agreed to provide a grant of the type suggested on the following basis:

1st year:	\$125,000
2nd year:	100,000
3rd year:	75,000
4th year:	50,000
5th year:	25,000

Total for the 5-year period	<u>\$375,000</u>
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A grant of this kind should not be regarded as a permanent contribution to municipal revenues. During the period when the grant is operative there should not be any necessity for the Provincial Government to provide grants for specific purposes. If municipal revenues are not increased by a grant of this kind the new municipality would undoubtedly have to increase local taxes very considerably during the first years of operations. This might have serious repercussions in that local residents would undoubtedly react unfavourably, particularly if such increases occur before there is a noticeable improvement in services. When the prevailing attitude toward local taxation is considered, the possibility of arousing public antagonism becomes very real and must, therefore, be avoided at all costs. Consequently, the adjustment or development grant will help to give the municipality an opportunity to provide improved municipal administration without an immediate and large-scale increase in local tax rates. If the basis of the grant is examined closely it will be noted that if the municipality wishes to maintain, during the second year, the same level of expenditures made possible by the higher grant in the first year, it will only have to increase taxes sufficiently

to produce an additional \$25,000 in revenue - - this amount being the difference between the grant provided in the first year and that furnished in the second year. The same principle may be applied in succeeding years. Thus, over the five-year period during which the grant is operative, the municipality can increase local revenues by \$125,000 in five successive stages, each involving small increases instead of requiring a drastic increase during the first year.

From this review of the principal revenue sources of the amalgamated municipality it can be determined that the total revenue will amount to approximately \$447,000 for the first year of operations. Table 2 below illustrates the revenue potential by principal source:

TABLE 2

Estimated Revenue Potential
Amalgamated Municipality of
Corner Brook For First Year

Revenue Source	Amount
<u>Taxation:</u>	
Property Taxes	\$127,000
Estimated Minimum Yield From Taxation of Bowater Company	100,000
Other Tax Revenue	<u>70,000</u>
<u>Total Taxation</u>	<u>\$297,000</u>
<u>Government Grants:</u>	
Revenue Grant	\$ 25,000
Special Development Grant	<u>125,000</u>
<u>Total Grants</u>	<u>\$150,000</u>
Total Revenue	<u><u>\$447,000</u></u>

To round out this review of the finances of the amalgamated municipality it remains to compare the estimated revenue potential with a similar estimate of the new municipality's expenditure requirements. In this respect it is difficult to make an accurate forecast for the scope of the spending programme anticipated in the municipality's first year of operations will depend to a large extent on just how far the community wishes to proceed in expanding and improving services. The scope of any spending programme will inevitably have to be **determined** by the members of the new council. Moreover, the scope of any expenditure budget will be determined by the costs involved in increasing and expanding services and in the absence of a detailed cost survey, it is difficult to determine precisely future expenditure requirements.

Nevertheless, a working guide to future expenditure requirements can be obtained by reference to combined current expenditures of the three municipalities involved in amalgamation. In this respect, the consolidated expenditure statement of the Towns of Corner Brook, Corner Brook East and Corner Brook West, in Table 3 on page 113 provides an approximation of expenditure needs of the amalgamated municipality.

TABLE 3

Combined Expenditure Statement Towns
of Corner Brook, Corner Brook East
and Corner Brook West (a)

<u>A. General Government:</u>		
(1) Administration	\$ 44,704.46	
(2) Other General Government Expenditure	<u>6,432.97</u>	\$ 51,137.43
<u>B. Protection to Persons and Property:</u>		
(1) Fire Protection	11,372.19	
(2) Street Lighting	<u>10,073.24</u>	21,445.43
<u>C. Public Works:</u>		
(1) Roads and Streets	98,637.44	
(2) Sidewalks	3,442.43	
(3) Parks and Playgrounds	<u>23,684.84</u>	125,764.71
<u>D. Sanitation and Waste Removal:</u>		
(1) Garbage Collection	<u>53,638.80</u>	53,638.80
<u>E. Debt Charges:</u>		
(1) Principal and Interest Repayment	<u>2,343.50</u>	2,343.50
<u>F. Capital Expenditures Provided Out of Revenue:</u>		
	<u>39,869.63</u>	39,869.63
Total Expenditures (1)		<u>\$294,199.50</u>
(a) This combined expenditure statement has been compiled from the annual financial statements of the Towns of Corner Brook East and Corner Brook West for the fiscal year ending March 31, 1953, and an operating statement for Corner Brook Townsite for the fiscal year ending September 30, 1952. Expenditures for water and sewerage services have been eliminated as these will not be a responsibility of the amalgamated municipality.		

This expenditure statement amounting to almost \$295,000 represents the cost of municipal services at the current scale of administration. By comparing this consolidated expenditure total to the total estimated revenue of \$447,000 it will be found that the amalgamated municipality have available some \$152,000 in excess of that required to administer municipal services at the present level in the three municipalities which will form the amalgamated municipality. It will be noted, too, that the potential revenue available to the new municipality during its first year of operations is some 50 per cent greater than the amount of funds required to finance current expenditures. This means that the amalgamated municipality will be in a position to commence immediately an improved programme of municipal services. Moreover, it will be able to undertake this task without an extraordinary increase in local taxes. (13)

From a psychological point of view it is important that amalgamation is not accompanied by a significant increase in local tax rates. Part of the reason for this has already been indicated in the Newfoundlander's traditional antagonism to local taxes - - particularly the real property tax. As municipal government is a fairly recent

(13) For residents of Corner Brook area amalgamation will mean considerably higher local taxes in that they will have to pay taxes at the same rates as currently imposed in the two incorporated municipalities. Up to the present residents of the area have not been subjected to taxation although they have paid a small levy to the Bowater Company for services. The amount of this levy, however, does not equal the taxes imposed in the other municipalities.

development in the Corner Brook area, local taxes have been introduced. More importantly, considerable progress has been made toward widespread public acceptance of local taxation and, if amalgamation was accompanied by an extensive increase in tax rates, it would not be unreasonable to assume that it would produce such an unfavourable reaction that public confidence in the whole concept of local self-government might be undermined. Moreover, it must be recalled that the Water and Sewerage Corporation of Greater Corner Brook will soon be levying rates for services. While the Corporation is a separate entity from the municipality, its operations cannot be ignored when an increase in municipal taxes is considered. Undoubtedly, the residents of the Corner Brook area will require a period wherein they can adjust to the financial impact of this new levy which they will have to pay in addition to municipal taxes. Consequently, in view of the very real possibility that a major tax increase might undermine not only public acceptance of amalgamation but of the whole concept of municipal government, it is only realistic to allow the amalgamated municipality to operate for at least a year before introducing a tax increase.

The analysis of the revenue potential and expenditure requirements of the proposed amalgamated municipality suggests that this objective can be met. Consolidation of municipal finances and the provision of a development grant of the kind outlined will permit the municipality to improve services immediately without resorting to a tax increase during the first year of operations. As well, the provision of this grant will allow the municipal council to disperse tax increases

over a five-year period with the result that annual tax increases will only be slight although the overall increase will be significant.

Although the revenue estimate suggested indicates that while 67 per cent of the revenues required for the municipality's first year of operations will be derived from local taxation and some 32 per cent will accrue from provincial government grants, it is not intended that this ratio between local revenue and government grants should be a permanent feature of the financing of the new municipality. On the contrary, the financial objective during the first five years of the operations of the amalgamated municipality should be to reduce the need for provincial government assistance and increase the revenue derived from local sources. As long as there is such a high degree of dependence on provincial government financial assistance, municipal government can have little real autonomy and there can be little real local responsibility for the conduct of municipal affairs. The ultimate objective, then, is a self-sustaining municipality capable of providing at least 90 per cent of its revenue needs from local taxation and wherein provincial government financial assistance plays a relatively insignificant role. The analysis of the financing of the amalgamated municipality indicates that there is a very real possibility that this goal can be obtained.

The Municipal Charter

Granting that the residents of the Corner Brook area approve a proposal to amalgamate the existing municipalities, the necessary legislation incorporating the new municipality would need to be enacted by the Provincial

Government as soon as possible after public approval has been obtained. In most respects the Local Government Act of 1949 provides a satisfactory basis for incorporation. There are, nevertheless, certain matters which will require special consideration when the legislation is being drafted.

The incorporating legislation which will become the charter of the new municipality should, in addition to outlining municipal functions and responsibilities (14), provide for the holding of an election to determine the membership of the council prior to the date when the municipality commences its legal existence. It is important that members of the first council be allowed a sufficient period of time during which they can analyze the principal problems with which they will have to deal when the municipality begins its legal life. Members of the new Council will also have to engage the personnel necessary to **begin** operations on the date of incorporation, plan an interim programme of legislation as well as transfer and assess the value of the equipment, plant and facilities of the separate municipalities involved in amalgamation.

In this latter connection no particular difficulties are likely to arise with respect to the transfer of the physical assets of the towns

(14) In addition to the usual functions and powers allocated to municipalities under the Local Government Act, 1949 it has been recommended that the charter of the new municipality authorize the municipality to pass by-laws or regulations providing that the cost of local improvement or particular services which are not enjoyed by all properties be assessed directly to the benefitting properties on a pro-rata basis or by special assessment upon the land abutting directly on the streets where such services are provided. This power to be exercised in accordance with such procedures and conditions as may be required by the Department of Provincial Affairs. The inclusion of this authority in the charter would enable the new municipality to deal with the matter of local improvements provided in some areas but not in others.

of Corner Brook East and Corner Brook West although there may be questions of compensation involved in the transfer of some of the assets of Corner Brook Townsite which will have to be settled by negotiation. (15)

What is obviously required is a "familiarization and consolidation" period to enable the new municipal council to carry out the necessary preliminary planning and organization to ensure that the amalgamated municipality is in a position to commence operations on the date when it legally commences its corporate existence. Consequently, the election of members of Council should be held at least three months in advance of the date when the new municipal council is required to take office.

The incorporating legislation or charter should also define carefully the boundaries of the new municipality. In this connection the existing boundaries may not be completely satisfactory. As a general rule it is considered good practice to include within the boundaries of a municipality any adjacent undeveloped land which might be considered suitable for future residential and commercial development which, if uncontrolled, may result in the growth of undesirable fringe developments. The inclusion of such land within the boundaries of the new municipality would enable it to exercise the necessary control. Fortunately, a town planning survey has been conducted in the area which provides an excellent guide with respect to municipal boundaries and emphasizes the problem indicated:

"The boundaries of the municipalities constituting Greater Corner Brook embrace the total extent of the present urbanized area and its probable

(15) The value placed by the Bowater Company on physical assets in Corner Brook Townsite is currently being discussed by the Company and the Amalgamation Committee of the Humber Municipal Association.

extensions, with the exception of the localities to the south of the Townsite, at Humbermouth, and along the Humber River, in which sporadic development is already occurring. To embrace a sufficiently extensive area to contain the limits of probable development, and to safeguard the immediately surrounding countryside from despoilation, the joint planning area should extend beyond the municipal boundaries to the south and east..." (16)

In general, the responsibilities, functions, powers of taxation and regulation, etc., now assigned to municipal councils under the Local Government Act, 1949, should be included in the charter of the new municipality. The need for any additional powers can probably be determined best after the members of the first Council have taken office and have had sufficient time to become familiar with the overall problems facing the area. (17) While the Act does not differentiate between towns and cities and, in fact, only refers to towns, it would undoubtedly be desirable to incorporate the proposed amalgamated municipality as a city. Incorporation

(16) Bland, J. and Spence-Sales, H. op.cit., p.41. The joint planning area mentioned by the authors could be included within the boundaries of the proposed amalgamated municipality.

(17) There have been suggestions put forward by some municipal officials in the area that the municipalities should be granted the power to levy a local tax for the support of education. While the financing of adequate public education facilities is a particularly acute and pressing problem, it would undoubtedly be somewhat premature for the municipalities to assume any formal obligations in this connection in the immediate future. To do so might jeopardize unnecessarily the present position of municipal government in the area. More complete acceptance of local taxation at a rate adequate for present services should be obtained before additional responsibilities are assumed at the local level.

as a city would not provide any significant additional powers or advantages but it might help to increase civic pride on the part of local residents and thereby stimulate a greater interest in municipal affairs. Such a suggestion may appear trite, but its importance cannot be overlooked, particularly when it is recalled that one of the primary difficulties facing the area is to obtain widespread acceptance of the principle of local self-government. From the point of view of population, the amalgamated municipality of Corner Brook would become the largest and the most important urban centre in the province with the single exception of the capital city of St. John's.

V. EVALUATION

The analysis of the problem of local government and the proposals for improving government and administration outlined in the preceding chapters were based on the author's view of municipal government in the Greater Corner Brook area of Newfoundland as he observed it during the years 1953 and 1954. Subsequent developments since the time of writing can now be evaluated.

In December 1954 the Provincial Government of Newfoundland announced its intention to hold a plebiscite in the Greater Corner Brook area to determine whether a majority of the residents were in favour of municipal amalgamation. Representations to the government to conduct such a plebiscite had been made by the Humber Municipal Association, a voluntary inter-municipal association composed of municipal representatives of the four towns comprising the Greater Corner Brook area. The Association decided, after consultation with the Provincial Government, that amalgamation should include all four municipalities. In other words, it was believed that complete amalgamation could be accomplished in one step and not two as had been first suggested. This decision means that the Town of Curling would be included in amalgamation from the beginning. (1) It was felt that

(1) See Chapter II where it was suggested that amalgamation should be accomplished in two stages; the first stage to include the towns of Corner Brook, Corner Brook East and Corner Brook West. When amalgamation had been accomplished on this basis and a consolidated administration developed then Curling could be brought in.

the advantages to be obtained from this move would outweigh any possible disadvantages. The decision was made largely on the basis of need to exercise effective control of planning and development in the Greater Corner Brook area. While Curling is somewhat separated from the other three towns it is nevertheless economically and socially linked to the other towns. Consequently, it was felt that if Curling's growth and development was not controlled from the beginning it might prove impossible later. Despite the validity of this argument from a planning point of view, the difficulties of municipal administration occasioned by Curling's physical separation from the area and somewhat different social and economic background must be faced eventually. (2)

The area encompassed by the four towns constituted a single voting area for the holding of the plebiscite. While there were some opinions expressed in favour of holding a separate plebiscite in each town, no serious criticism developed except in the Town of Curling where prior to the vote a number of stormy meetings of protest were held. The plebiscite was held on February 15 and 16, 1955 and some six thousand residents went to the polls to vote on the question of amalgamating the four towns. When the ballots were counted 3876 voters had registered their opinion in favour of amalgamation, while 2124 were opposed. This result provided conclusive evidence to the Provincial Government that the majority of residents of the area were in favour of

(2) See Chapter III.

municipal amalgamation. Consequently, the necessary incorporating legislation is being prepared for adoption by the current session of the provincial legislature. It is expected that the legislation will provide for the holding of an election for the first council early in June of this year although the new municipality will not being its legal existence until January 1st, 1956. The interim will provide a "familiarization and consolidation" period during which the new municipal council can undertake preliminary planning and organization to ensure that the new municipality is in a position to commence operations on January 1st, 1956. (3)

For three weeks preceding the holding of the plebiscite an intensive public information campaign was carried by an Amalgamation Committee composed of members of the municipal councils in the area, representatives of the Bowater Company and prominent citizens of the community. A large number of public meetings were held during which the proponents of amalgamation were questioned with meticulous attention to detail. The type of questions asked at these meetings indicated that the possibility of increased taxation was uppermost in the minds of many. Repeatedly the question was asked: "What will amalgamation cost?" As a consequence the major efforts of the Amalgamation Committee were devoted to attempts to separate the question of amalgamation from the question of taxation. To this end it was continually pointed out that the municipal service problems facing the area would remain whether

(3) See Chapter IV,

amalgamation occurred or not. It was suggested that in the final analysis and with or without amalgamation the residents of the area would have to decide just how far they wished to go in paying for improved municipal services. In many respects this campaign became equally important as a means of attempting to convey the basic principles of local self-government as it was a vehicle for promoting the idea of amalgamation. It would not therefore be untrue to say that the success of the latter depended almost entirely on acceptance of the former.

A somewhat surprising aspect of the amalgamation campaign was the lack of vigorous opposition to the proposal in Corner Brook Townsite where it had been believed that the special position enjoyed by the residents of that community would make them strong opponents of amalgamation. (3) Such was not the case, however. Most reports indicate that there was substantial support for amalgamation in the Townsite. The most vigorous opposition developed in the Town of Curling. Outspoken criticism was directed at the members of the Curling Town Council for having approved the proposal to amalgamate. Particular objection was raised as to the method of conducting the plebiscite with a vociferous group demanding that a separate vote be held in the Town of Curling. (4)

(3) See Chapter III.

(4) This development was not altogether surprising for Curling is an old-established fishing community. While a large number of residents earn their livelihood in the paper mill or in other occupations there is still a small core of residents who still depend upon the sea for their principal source of income. These individuals maintain a rugged independence and are probably more sceptical of municipal institutions than their neighbours who have become more accustomed to urban life and institutions.

To sum up the 'amalgamation issue' as it came to be known in Greater Corner Brook, it can be said that the crux of the question rested on the relative strength of two opposing forces. These were: (a) the strength of the desire of the residents of the area for an intelligible form of area-wide municipal administration capable of coming to grips with the urgent municipal problems confronting the Greater Corner Brook area, and (b) the degree to which local residents possessed a real fear of increased local taxation and scepticism regarding municipal government as a necessary local institution, deep-rooted enough to cause them to oppose amalgamation. The fact that the results of the amalgamation plebiscite proved that the former was the stronger force augurs well for the whole course of local government in Greater Corner Brook. Municipal government in the area undoubtedly rests on a much stronger foundation than many would have been willing to concede. In the final analysis the acceptance of amalgamation means the end of the chaotic system of divided municipal jurisdiction in the area. It means, too, that the subsequent establishment of an intelligible form of effective, area-wide municipal government will provide the opportunity for strengthening the vitality of municipal life as well as the possibility of making local self-government more real and effective in Greater Corner Brook.

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