

## BYLAW 04/16

BEING A BYLAW OF FLAGSTAFF COUNTY, PROVINCE OF ALBERTA, IN RELATION TO THE ESTABLISHMENT OF INTER-MUNICIPAL ASSESSMENT REVIEW BOARDS.

**WHEREAS** pursuant to section 456 of the *Municipal Government Act*, RSA 2000, M-26 and amendments thereto, two or more councils may agree to jointly establish the assessment review boards to have jurisdiction in their municipalities;

**AND WHEREAS** Flagstaff County, the Town of Hardisty, the Village of Lougheed, the Town of Sedgewick, the Town of Killam, the Village of Forestburg, the Village of Alliance, the Town of Daysland and the Village of Heisler, wish to establish assessment review boards to have jurisdiction in these municipalities;

**AND WHEREAS** pursuant to section 454 of the *Municipal Government Act*, RSA 2000, M-26 and amendments thereto, a council may establish one or more local assessment review boards and one or more composite assessment review boards;

**AND WHEREAS** pursuant to sections 454.1 and 454.2 of the *Municipal Government Act*, RSA 2000, M-26 and amendments thereto, a council must appoint three persons as members of a local assessment review board or one person as a member of a local assessment review board and two persons as members to each composite assessment review board;

**AND WHEREAS** pursuant to section 484 (1) of the *Municipal Government Act*, RSA 2000, M-26 and amendments thereto, a council may set fees payable by persons wishing to make complaints;

**AND WHEREAS** pursuant to section 455 of the *Municipal Government Act*, RSA 2000, M-26 and amendments thereto, a council must appoint a designated officer to act as the Clerk of the assessment review boards;

**NOW THEREFORE** the council of Flagstaff County in the Province of Alberta, duly assembled hereby enacts:

### Title

1) This Bylaw may be cited as the Inter-Municipal Assessment Review Boards Bylaw.

### Definitions

2) Except as otherwise provided herein, words in this Bylaw shall have the meaning prescribed in the *Municipal Government Act*. In this Bylaw:

- a) "Agreement" means the contract entered into between the Municipalities to coordinate the assessment review boards;
- b) "Authorized Substitute" means a Member who is authorized for appointment to fill a Vacancy;
- c) "Council" means the Council of Flagstaff County;
- d) "Member" means a resident of a Member Municipality who is not a councillor or otherwise ineligible pursuant to the *Municipal Government Act* and regulations passed thereto, appointed to a Local Assessment Review Board or Composite Assessment Review Board;
- e) "Municipality" or "Municipalities" means those municipalities which enter into an Agreement to jointly establish assessment review boards and who enact a Bylaw in this format;
- f) "Vacancy" means an absence from a hearing due to:
  - i. A pecuniary interest in the subject matter of the complaint;
  - ii. A direct or indirect interest in the complaint;
  - iii. A Member's ill health or other emergency; or
  - iv. A Member's unavailability.

### Assessment Review Boards

3) Council hereby establishes jointly and by agreement with the Municipalities, the following assessment review boards to have jurisdiction in the Municipalities:

- a) Local Assessment Review Board No. 1 shall consist of three (3) Members;
- b) Local Assessment Review Board No. 2 shall consist of three (3) Members;
- c) Local Assessment Review Board No. 3 shall consist of one (1) Member;
- d) Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member and two (2) Members;

- e) Composite Assessment Review Board No. 2 shall consist of one (1) Provincial Member and two (2) Members;
- f) Composite Assessment Review Board No. 3 shall consist of one (1) Provincial Member and two (2) Members;

**Membership and Vacancies**

- 4) Pursuant to the terms of the Agreement, each Municipality may appoint by council resolution six (6) Members.
- 5) Unless otherwise specified in the Council resolution, all Members are appointed for three (3) year terms.
- 6) A Member is an Authorized Substitute for any other Member due to a Vacancy (as defined in this Bylaw), at any Local Assessment Review Board or Composite Assessment Review Board Hearing.
- 7) In the event a Member resigns prior to the end of their term, the Municipality may appoint a replacement for the resigning Member to fill the remainder of the resigning Member's term.
- 8) A Member may be re-appointed at the expiration of the Member's term.
- 9) A Member may resign at any time on written notice to the designated officer.
- 10) A Municipality may remove a Member appointed by the Municipality at any time, and upon doing so must notify the Member and the designated officer in writing.
- 11) A Member who fails to comply with the pecuniary interest provisions in section 480 of the *Municipal Government Act*, ceases to be a Member.

**Remuneration**

- 12) Remuneration and traveling expenses for Members shall be in accordance with remuneration as specified in the Agreement signed by the Municipalities.

**Designated Officer**

- 13) a) The designated officer pursuant to section 455 of the *Municipal Government Act*, shall be the Managing Partner for the Flagstaff Inter-municipal Partnership.
- b) The duties and remuneration of the designated officer pursuant to section 455 of the *Municipal Government Act*, shall be as directed by the *Municipal Government Act*, the *Matters Relating to Assessment Complaints Regulations*, and the Agreement signed by the Municipalities.

**Assessment Complaint Fees**

- 14) The fees payable pursuant to section 481 (1) of the *Municipal Government Act*, shall be those established by the *Matters Relating to Assessment Complaints Regulation*, as amended.

**Severability**

- 15) If any clause in this Bylaw is found to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

**Repeal**

- 16) Bylaw 01/11 is hereby repealed.

READ a first time this 13<sup>th</sup> day of July, 2016.

READ a second time this 13<sup>th</sup> day of July, 2016.

READ a third time this 13<sup>th</sup> day of July, 2016 and

finally PASSED this 13<sup>th</sup> day of July, 2016.

  
Reeve

  
Chief Administrative Officer