

## **Bylaw No. 253-20**

### **BEING A BYLAW OF CLEAR HILLS COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH REGIONAL ASSESSMENT REVIEW BOARDS.**

**WHEREAS**, the Municipal Government Act, S.A. Chapter M-26, as amended, requires the establishment of Assessment Review Boards;

**AND WHEREAS**, the Municipal Government Act, S.A. Chapter M-26, as amended, permits two or more Councils to jointly establish Assessment Review Boards to have jurisdiction in their respective municipalities;

**NOW THEREFORE** the Council of Clear Hills County, in the Province of Alberta, duly assembled, hereby enacts as follows:

#### **1. TITLE**

1.1. This Bylaw shall be known as the "Regional Assessment Review Board Bylaw"

#### **2. DEFINITIONS**

2.1. In this Bylaw:

- a) "Board" means the Regional Assessment Review Board;
- b) "CARB" means the Composite Assessment Review Board established in accordance with the "Matters Relating to Assessment Complaints" Regulation;
- c) "Chair" means the member of an Assessment Review Board jointly designated as chair by the councils;
- d) "Designated Officer" means the designated Clerk of the Assessment Review Board as delegated by Council.
- e) "LARB" means the Local Assessment Review Board established in accordance with the "Matters Relating to Assessment Complaints" Regulation;
- f) "Member" means a member of the Regional Assessment Review Board;
- g) "Regional Partner Municipality" means those municipalities who enter into a Board Regional Joint Agreement with Clear Hills County to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw;
- h) "Panel" means the group of usually three members who are selected by the chair to hear the appeal;
- i) "Presiding Officer" means the member selected by the panel to preside over the hearing;
- j) "Regional Pool" means a group of Assessment Review Board members duly appointed by the Councils of Regional Partner Municipalities, who meet the training requirements of the *Municipal Government Act*

### **3. ASSESSMENT REVIEW BOARDS**

- 3.1. Council hereby establishes the Local Assessment Review Board (LARB).
- 3.2. Council hereby establishes the Composite Assessment Review Board (CARB).

### **4. MEMBERSHIP**

- 4.1. Members shall be appointed to the Regional Pool by the Councils of the Regional Partner Municipalities by resolution of Council.
- 4.2. Membership terms will be no longer than three (3) years and will be made in such a manner that the expiry dates of members are staggered.
- 4.3. Members may apply for reappointment to the Regional Pool.
- 4.4. All membership vacancies shall be advertised to request formal submission of applications.
- 4.5. Appointments of members shall be made from those applicants responding on a timely basis to the advertised need.
- 4.6. Appointments to be made through a show of hands by Council with the candidate, or candidates, receiving the highest number of votes being appointed by resolution of Council if the majority of Council voted in favour of that candidate.
- 4.7. There will be no automatic succession appointments.
- 4.8. Council deems that a member appointed to the Regional Pool by a Regional Partnership Municipality is a member appointed by Council.
- 4.9. Council must jointly designate one of the Assessment Review Board members as Chair of the Board.
- 4.10. The Chair will assemble a panel for the Hearing from the Regional Pool, as required.
- 4.11. Members shall be compensated to sit at a hearing as set out in the Schedule of Fees attached to this Bylaw.
- 4.12. Members must successfully complete a training program set or approved by the Minister as specified in the Regulations.

### **5. PANELS OF THE BOARD**

- 5.1. The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels to consist of:
  - a) One Board of three members, selected by the Chair when the Board is acting as a LARB
  - b) One Board of three members, selected by the Chair when the Board is acting as a CARB
  - c) A single member Board selected by the Chair when the Board is acting as a Single Member CARB or a Single Member LARB as required.

- d) Where possible, the Chair shall include on a three (3) person panel a member who is from the municipality under whose jurisdiction the complaint arises.
- 5.2. The Chair may select any Board from the Regional Pool, provided that a Municipal Government Board member sits on a CARB

## **6. PRESIDING OFFICER**

- 6.1. A sitting panel of the Board will select a presiding officer for the hearing with the powers and duties prescribed within the MGA, provided however that:
- a) The provincial member must be the Presiding Officer of a panel sitting as the Composite Assessment Review Board; and
  - b) The Provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board.
  - c) The Presiding Officer of a panel:
    - i. Will preside over and be responsible for the conduct of meetings.
    - ii. May limit a submission if it is determined to be repetitious or in any manner inappropriate; and
    - iii. Will vote on matters submitted to the Board unless otherwise disqualified.

## **7. JURISDICTION OF THE BOARD**

- 7.1. The Board shall have jurisdiction to exercise the functions of a LARB and the functions of a CARB under the provisions of the Municipal Government Act in respect of assessment complaints made by an assessed person of a Regional Partner Municipality.

## **8. DESIGNATED OFFICER OF THE ASSESSMENT REVIEW BOARD**

- 8.1. The position of a Designated Officer of the Assessment Review Board is hereby established.
- 8.2. Council hereby appoints the Taxation and Assessment Clerk as the Designated Officer in the position of Clerk of the Assessment Review Boards. Duties and responsibilities are outlined in the *Municipal Government Act*, Part 11, Assessment Review Boards, and the "Matters Relating to Assessment Complaints" Regulation.
- 8.3. In the event the Designated Officer is unable to perform the duties of the Clerk, Council hereby authorizes the Chief Administrative Officer to appoint a qualified employee of Clear Hills County or a Clerk from a Regional Partner Municipality.

## **9. COMPLAINT FEES**

- 9.1. Complaint Fees are set out in the Schedule of Fees attached to this Bylaw.

**10. REPEAL**

10.1. Bylaw No. 172-13 and any amendments thereto are hereby repealed in their entirety.

**EFFECTIVE DATE**

This Bylaw shall come into force and effect when it receives third reading and is duly signed.

READ a first time this 14 day of July A.D., 2020.

READ a second time this 14 day of July A.D., 2020.

READ a third time this 14 day of July A.D., 2020.

  
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Miron Croy, Reeve

  
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Allan Rowe, Chief Administrative Officer

**CLEAR HILLS COUNTY  
BYLAW NO. 253-20  
REGIONAL ASSESSMENT REVIEW BOARD BYLAW  
SCHEDULE OF FEES**

1. Remuneration for all Assessment Board members participating in the Hearing shall be as follows:
  - 1.1. Chair /Presiding Officer
    - \$155 up to 4 hours
    - \$255 for 4 hours up to 8 hours
    - \$455 for over 8 hours
  - 1.2. Member
    - \$100 up to 4 hours
    - \$200 for 4 hours up to 8 hours
    - \$400 for over 8 hours
2. Travel and Subsistence shall be compensated at the rate of the municipality convening the Hearing.
3. Remuneration for all Assessment Board clerks participating in the Hearing shall be as follows (Note: the remuneration is payable to the Municipality that employs the Clerk, unless the Clerk is an employee of the Municipality from which the Hearing originated, in which case no remuneration is payable):
  - \$750 per hearing
4. Complaint fees are set as follows:
  - 4.1. Residential/Farmland Appeals - \$25.00 per parcel
  - 4.2. Commercial/Industrial Appeals - \$100.00 per parcel