

BYLAW NO. 266-22

A BYLAW OF CLEAR HILLS COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A PROCESS FOR SENDING ASSESSMENT NOTICES, TAX NOTICES AND OTHER NOTICES, DOCUMENTS AND INFORMATION BY ELECTRONIC MEANS

WHEREAS, pursuant to Section 608.1 of the Municipal Government Act, RSA 2000, M-26 (the "MGA"), Council may pass a bylaw establishing a process for sending assessment notices, tax notices and other notices, documents and information under Part 9, 10, or 11 and the corresponding regulations by electronic means;

AND WHEREAS, before making a bylaw under Section 608.1, Council must:

1. be satisfied that the proposed bylaw includes appropriate measures to ensure the security and confidentiality of the notices, documents and information being sent;
2. give notice of the proposed bylaw in a manner Council considers is likely to bring the proposed bylaw to the attention of substantially all persons that would be affected by it;

AND WHEREAS, a bylaw passed under Section 608.1 must provide for a method by which persons may opt to receive the notice, document or information by electronic means;

AND WHEREAS, the sending by electronic means of any notice, document or information under such a bylaw is valid only if the person to whom it is sent has opted under the bylaw to receive it by those means;

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

1. TITLE

This bylaw shall be known as "Electronic Transmission of Documents."

2. DEFINITIONS

- a. "County" means municipal corporation of Clear Hills County.
- b. "Council" means municipal Council for Clear Hills County, in the Province of Alberta, as duly elected.
- c. "Electronic Means" and "Electronic Format" means electronic mail or email;
- d. "Tax" and "Taxes" includes all property taxes, local improvement taxes, and all other taxes, charges, fees or amounts lawfully imposed against a property by the County pursuant to the Municipal Government Act or any other statute of the Province of Alberta.
- e. "Tax Notice" means a tax notice sent pursuant to Section 333 of the MGA and can include an amended tax notice or a supplementary tax notice;
- f. "Taxpayer" is the person liable to pay taxes.

BYLAW NO. 266-22
Electronic Transmission of Documents

3. SCOPE

The County may send the following by electronic means:

1. Taxation & Assessment
 - a. Assessment Notices pursuant to Section 310 of the Act;
 - b. Supplementary Assessments pursuant to Section 316 of the Act;
 - c. Tax Notices pursuant to Section 333 & 335 of the Act;
 - d. Combined Assessment & Tax Notice as described in Section 308(4) of the Act;
 - e. Tax Arrears Notices;
 - f. All documentation relating to the Regional Assessment Review Board process;
 - g. Any and all documentation relating to the Recovery of Taxes Related to Land as described in Division 8 of the Act;
 - h. Any and all documentation relating to the Recovery of Taxes not Related to Land as described in Division 9 of the Act;
 - i. Any and all documentation relating to the Recovery of Taxes Related to Designated Manufactured Homes in Division 8.1 of the Act;
 - j. Any and all letters and documentation pertaining to Pre-authorized Debit plans.
2. Other Receivables
 - a. Utility Billing;
 - b. Accounts Receivable Invoice and Statements;
 - c. Cash Receipt showing payment made;
 - d. Utility Arrears Notices;
 - e. Any and all letters pertaining to Utility Billings and Accounts Receivable invoicing and Pre-authorized Debit plans.

4. CONSENT

Any notice as set out in Section 3 may be sent by electronic means if the person:

- a. Has provided a personal email address for the notices to be sent to;

BYLAW NO. 266-22
Electronic Transmission of Documents

- b. Has opted to receive notices by electronic means by completing the prescribed form;
- c. The prescribed form has been signed by the person making the request.

5. REVOCAION

A person who has opted to receive notices by electronic means may revoke consent at any time by contacting Administration and providing documentation of such revocation. This documentation may include:

- a. A signed and dated Revocation Request form;
- b. Letter signed by the person, whether received by electronic means or otherwise, detailing the request to revoke consent;
- c. Electronic mail (e-mail) received by Administration from the personal email on the consent form detailing revocation of consent.

6. PRESUMPTION OF RECEIPT

As indicated in Section 608.2 of the Act, a person who opts to receive notices by electronic means is presumed to have received the documentation as indicated in Section 3, 7 days after it was sent.

7. SEVERABILITY

If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.

8. EFFECTIVE DATE

That this Bylaw shall take force and have effect upon final reading thereof.

READ a first time this 8 day of MARCH A.D., 2022.

READ a second time this 8 day of MARCH A.D., 2022.

READ a third time this 8 day of MARCH A.D., 2022.



Amber Bean, Reeve



Allan Rowe, Chief Administrative Officer