

TOWN OF HIGH RIVER

IN THE PROVINCE OF ALBERTA

BYLAW 4550/2018 – ASSESSMENT REVIEW BOARDS BYLAW

A BYLAW OF THE TOWN OF HIGH RIVER TO ESTABLISH ASSESSMENT REVIEW BOARDS

WHEREAS pursuant to section 454 of the *Municipal Government Act*, RSA 2000, c M-26, Council must by bylaw establish a local assessment review board and a composite assessment review board;

WHEREAS pursuant to section 454.1 of the *Municipal Government Act* Council must appoint at least 3 persons as members of the local assessment review board, designate one of the members appointed as the chair, prescribe the term of office of each member appointed and the chair, and prescribe the remuneration and expenses, if any, payable to each member and the chair;

WHEREAS pursuant to section 454.2 of the *Municipal Government Act* Council must appoint at least 2 persons as members of the composite assessment review board, designate one of the members appointed as the chair, prescribe the term of office of each member appointed and the chair, and prescribe the remuneration and expenses if any payable to each member and the chair;

WHEREAS pursuant to section 455 of the *Municipal Government Act* Council may agree to jointly establish the local assessment review board or the composite assessment review board, or both, to have jurisdiction in their municipalities;

AND WHEREAS pursuant to section 145 of the *Municipal Government Act* Council may pass bylaws in relation to the procedures to be followed by Council, council committees and other bodies established by the Council;

AND WHEREAS pursuant to section 154 of the *Municipal Government Act* the chief elected official is a member of all council committees and bodies to which Council has the right to appoint members under the *Municipal Government Act* unless Council provides otherwise;

NOW THEREFORE, the Town of High River Council, duly assembled, enacts as follows:

PART I – PURPOSE, DEFINITIONS, INTERPRETATION AND APPLICATION

Purpose

1. The purposes of this Bylaw are:
 - a) To establish the Local Assessment Review Board;
 - b) To establish the Composite Assessment Review Board; and
 - c) To establish procedures to be followed by the Local Assessment Review Board and the Composite Assessment Review Board.

Short Title

2. This Bylaw may be cited as the “Assessment Review Boards Bylaw”.

Definitions

3. Words used in this Bylaw have the same meaning as defined in the *Municipal Government Act*, with the following changes or additions:
 - (a) “Act” means the *Municipal Government Act*, RSA 2000, c. M-26, together with any amendments and Regulations made thereunder;
 - (b) “Assessment Review Boards” means collectively the Composite Assessment Review Board and the Local Assessment Review Board;
 - (c) “Bylaw” means a Bylaw of the Town;
 - (d) “Chair” means a person who has authority to preside at a meeting;

- (e) "Clerk" means the designated officer appointed as clerk of the Assessment Review Boards in accordance with Section 456 of the Act;
- (f) "Composite Assessment Review Board" means the composite assessment review board established pursuant to this bylaw in accordance with Section 454 of the Act;
- (g) "Council" means the governing body of the Town;
- (h) "Joint Assessment Review Boards" means Assessment Review Boards jointly established by two or more councils that have jurisdiction in their municipalities;
- (i) "Local Assessment Review Board" means the local assessment review board established pursuant to this bylaw in accordance with Section 454 of the Act;
- (j) "Mayor" means the individual elected to the position of Chief Councillor for the Town;
- (k) "Member" means an individual who is appointed to the Composite Assessment Review Board, the Local Assessment Review Board, or the Composite Assessment Review Board and the Local Assessment Review Board;
- (l) "Town" means the municipal corporation of the Town of High River; and
- (m) "Town Manager" means the individual appointed to the position of Chief Administration Officer or his or her designate for the Town.

Interpretation

- 4. References in this Bylaw to a statute, regulation or other bylaw refer to the current laws at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
- 5. Headings and sub-headings in this Bylaw are included for convenience only, and shall not be considered in interpreting the substantive content of this Bylaw.
- 6. The preamble paragraphs that precede the numbered paragraphs of this Bylaw are an integral and necessary part of this Bylaw and not a mere recital.
- 7. Every provision of this Bylaw is independent of all provisions and it is the intention of the Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Application

- 8. This Bylaw applies to all Assessment Review Boards and the Members.

Establishment

- 9. Council establishes the Local Assessment Review Board.
- 10. Council establishes the Composite Assessment Review Board.

Functions and Procedures

- 11. The Assessment Review Boards will perform the functions and duties of an assessment review board in accordance with the Act, and Town bylaws, policies and procedures.

Resources

- 12. Administrative support and resources will be provided to the Assessment Review Boards as directed by the Town Manager or his or her designate.

Ineligibility

- 13. The following persons may not be Members:
 - a. The Mayor;
 - b. Members of Council;

- c. An employee of the Town;
- d. Any person who was an employee of the Town in the year prior to the date of appointment as a member; and
- e. Any other person who is not eligible to be a Member as set out in the Act.

Appointments

- 14. Council will appoint Members and each Chair as required by the Act and in accordance with Town bylaws, policies and procedures.
- 15. Council will appoint at least 4 persons as members of each of the Local Assessment Review Board and the Composite Assessment Review Board.
- 16. At any time, a person may be a Member of both of the Local Assessment Review Board and the Composite Assessment Review Board.
- 17. Council may revoke the appointment of any Member or Chair if the Member or Chair does not comply with any term of this bylaw.
- 18. Council will designate Members and appoint the Chairs to a Joint Assessment Review Board in accordance with the Act.

Terms

- 19. Members will be appointed by Council for terms of up to 3 years.
- 20. Members may be re-appointed for successive terms totaling not more than 6 consecutive years, unless otherwise directed by Council.
- 21. Chairs will be appointed by Council for terms of up to one year.
- 22. Chairs may be re-appointed for successive terms totaling not more than 3 consecutive years, unless otherwise directed by Council.

Remuneration

- 23. Council will determine the remuneration and expenses, if any, for Members and Chairs as set out in Schedule A to this Bylaw.

Training

- 24. Members will meet the requirements set out in the Act to be qualified to participate in a hearing promptly after appointment or re-appointment and, in any event, must do so prior to participating in a hearing.

Conduct

- 25. Members will conduct themselves in accordance with the Act, and Town bylaws, policies and procedures.

Chair Duties

- 26. A Chair will fulfill its duties as set out in the Act.

Delegation

- 27. The Chair will give notice to the Clerk of any delegation by the Chair to any other Member of any powers, duties or functions of the Chair.

Panels

- 28. The Chair will give notice to the Clerk of the names of the Council appointed Members of any panel of the Assessment Review Boards convened to hear a complaint in accordance with the Act.

Presiding Officer

29. A Chair will give notice to the Clerk of the name of the presiding officer of any panel of the Local Assessment Review Board convened to hear a complaint.

Meetings

30. The Assessment Review Board(s) will meet as many times as necessary to fulfill its obligations pursuant to this bylaw.

31. All Assessment Review Board meetings are open to the public.

Quorum

32. Quorum is met by the attendance of 2 Members.

Clerk Duties

33. Council will appoint a Clerk of the Assessment Review Boards as required by of the Act and in accordance with Town bylaws, policies and procedures.

34. Council will jointly appoint a clerk to a joint Assessment Review Board in accordance with the Act.

35. The Clerk will meet the qualification requirements and fulfill its duties as set out in the Act, and will act in accordance with Town bylaws, policies and procedures.

36. The Clerk may delegate some or all of the duties and responsibilities of the Clerk to another qualified person.

Assessment Review Board Complaint Fees

37. Assessment Review Board complaint fees shall be set in the current Rate Bylaw in accordance with the provisions of the Act.

Effective Date

38. This Bylaw comes into effect when it is passed by the Council.

Repeals

39. Bylaw No 4468/2016, being the Assessment Review Boards Bylaw, is hereby repealed.

READ A FIRST TIME THIS 13 DAY OF August .2018.

[Signature]
MAYOR/DEPUTY MAYOR
[Signature]
TOWN MANAGER

READ A SECOND TIME THIS 13 DAY OF August .2018.

[Signature]
MAYOR/DEPUTY MAYOR
[Signature]
TOWN MANAGER

READ A THIRD TIME THIS 13 DAY OF August .2018.

[Signature]
MAYOR/DEPUTY MAYOR

Jo Maia

TOWN MANAGER

SIGNED AND PASSED THIS 21 DAY OF August, 2018.

[Signature]

MAYOR/DEPUTY MAYOR

Jo Maia

TOWN MANAGER

BYLAW 4550/2018

SCHEDULE "A"

Assessment Review Boards Remuneration

Time	Chair	Member
Up to 4 Hours	\$219.00	\$164.00
4 – 8 Hours	\$383.00	\$290.00
Over 8 Hours	\$601.00	\$427.00