

Village of Heisler Bylaw #497-16

Schedule A

**A BYLAW OF THE Village of Heisler, IN THE PROVINCE OF ALBERTA, IN RELATION TO THE ESTABLISHMENT OF INTER-MUNICIPAL ASSESSMENT REVIEW BOARDS**

**WHEREAS**, pursuant to section 456, two or more councils may agree to jointly establish the assessment review boards to have jurisdiction in their municipalities;

**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;

**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;

**WHEREAS**, pursuant to sections 454.1 and 454.2 of the *Municipal Government Act*, 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;

**WHEREAS**, pursuant to section 454.1(1)(b) of the *Municipal Government Act*, a council must prescribe the term of office of each member appointed to a local assessment review board or a composite assessment review board;

**WHEREAS**, pursuant to section 484 (1) of the *Municipal Government Act*, a council may set fees payable by persons wishing to make complaints;

**WHEREAS**, pursuant to section 455 of the *Municipal Government Act*, a council must appoint a designated officer to act as the Clerk of the assessment review boards;

**NOW THEREFORE**, the council of the Village of Heisler, in the Province of Alberta, duly assembled hereby enacts:

**Title**

1. This Bylaw may be cited as the Intermunicipal 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 the Village of Heisler;
  - 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.

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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 Intermunicipal Partnership.
- b. The duties and remuneration of the designated officer pursuant to s. 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**

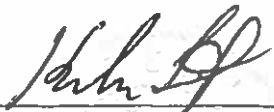
16. Bylaw No. 479-13 is hereby repealed. (Inter-Municipal Assessment Review Boards Bylaw)

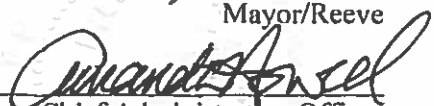
FIRST READING given this 13 day of July, 2016

SECOND READING given this 13 day of July, 2016

UNANIMOUS CONSENT for third and Final reading given this 13 day of July, 2016

PASSED AT THIRD READING given this 13 day of July, 2016

  
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Mayor/Reeve

  
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Chief Administrative Officer

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