

BYLAW 5:2010
OF THE VILLAGE OF FORESTBURG
IN THE PROVINCE OF ALBERTA

A BYLAW OF THE VILLAGE OF FORESTBURG, 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 Strome, the Village of Forestburg, the Village of Galahad, 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 to each local assessment review board and two persons as members to each 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 Forestburg, 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 the Village of Forestburg;
 - d. "Member" means a resident of a Member Municipality who is not a councilor 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. "Regional Member Municipality" means those municipalities which enter into an Agreement to jointly establish assessment review boards and who enact a Bylaw in this format.
- f. "Municipality" means those municipalities which enter into an Agreement to jointly establish assessment review boards and who enact a Bylaw in this format;
- g. "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 Regional Member Municipalities, the following assessment review boards to have jurisdiction in the Regional Member 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. Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member and two (2) Members;
 - d. Composite Assessment Review Board No. 2 shall consist of one (1) Provincial Member and two (2) Members;
 - e. 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 Members.
- 5. Unless otherwise specified in the Council resolution, all Members are appointed for three 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 Chief Administrative Officer of the Town of Killam.
- 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. 5/95 is hereby repealed.

FIRST READING the 8th day of July, 2010

SECOND READING the 8th day of July, 2010

UNANIMOUS CONSENT FOR THIRD AND FINAL READING GIVEN THIS 8th day of July, 2010

PASSED AT THIRD READING the 8th day of July, 2010

Mayor

Chief Administrative Officer