

SCHEDULE B

BYLAW 12-04

VILLAGE OF IRMA

A BYLAW OF VILLAGE OF IRMA, IN THE PROVINCE OF ALBERTA, IN RELATION
TO THE ESTABLISHMENT OF REGIONAL 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, the Village of Irma, and the Village of Chauvin and the Village of Edgerton 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 454.1(2) of the *Municipal Government Act*, a council may appoint a person to each one member local 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 VILLAGE OF IRMA, in the Province of Alberta, duly assembled hereby enacts:

Title

1. This Bylaw may be cited as the ICE Villages Regional 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. “Authorized Substitute” means a Member who is authorized for appointment to fill a Vacancy;
 - b. “Council” means the Council of Village of Irma, Village of Chauvin and Village of Edgerton;
 - c. “Member” means a member of a Local Assessment Review Board or Composite Assessment Review Board duly appointed by a Regional Member Municipality and may include members of Council and Public Members or Members from other appointed municipalities;
 - d. “Public Member” means a resident of a Regional Member Municipality who is not a councilor;
 - e. “Member Municipality” means those municipalities which enter into an Agreement with the Village of Irma, Village of Chauvin and Village of Edgerton 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; or
 - iii. a Member’s ill health or other emergency.

Assessment Review Boards

3. Council hereby establishes the following assessment review boards for Village of Irma, Village of Chauvin, Village of Edgerton know as ICE Villages:
 - a. Local Assessment Review Board No. 1 shall consist of three (3) Members;
 - b. Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member and two (2) Members;
4. The ICE Villages Regional Assessment Review Board consisting of Village of Irma, Village of Chauvin, Village of Edgerton can also appoint members to the Assessment Review Board from the Municipal District of Wainwright (we can also add in here any other communities we want to draw from) to the following boards:
 - a. Local Assessment Review Board No. 1 shall consist of three (3) Members;

- b. Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member and two (2) Members;

Membership, Terms of Appointment and Vacancies

5. Each Regional Member Municipality may appoint by Council resolution up to two Members.
6. Unless otherwise specified in the Council resolution, all Members are appointed for three year terms.
7. A Local Assessment Review Board may include any combination of Council Members and Public Members.
8. The two Members appointed to a Composite Assessment Review Board may be comprised of any combination of Council Members and Public Members.
9. A Member is an Authorized Substitute for any other Member due to a Vacancy at any Local Assessment Review Board or Composite Assessment Review Board Hearing.
10. In the event a Member resigns prior to the end of their term, the Regional Member Municipality who appointed that Member, may appoint a replacement for the resigning Member to fill the remainder of the resigning Member's term.
11. A Member may be re-appointed at the expiration of the Member's term.
12. A Member may resign at any time on written notice to the designated officer and the Regional Member Municipality which appointed the Member.
13. A Regional Member Municipality may remove a Member appointed by the Regional Member Municipality at any time, and upon doing so must notify the Member and the designated officer in writing.
14. 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

15. Remuneration and traveling expenses for Members shall be in accordance with remuneration as specified under the policy of the Village of Irma
16. **Designated Officer**
 - a. The designated officer pursuant to section 455 of the *Municipal Government Act* shall be the CAO of the Village of Irma or which ever community has the complaint acting as the Assistant Clerk..

- b. The designated officer pursuant to section 455 of the Municipal Government Act shall be a member of the members of the Assessment Review Board or appointed from appointed members from other appointed Municipalities as listed in Schedule D.
- c. 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 Regional Partner Municipalities.

Assessment Complaint Fees

- 16. The fees payable pursuant to section 481 (1) of the *Municipal Government Act*, shall be those established by each Regional Member Municipality for property located in that municipality, or as established by future policy, provided that such fees do not exceed the maximum fees in the *Matters Relating to Assessment Complaints Regulation*.

Severability

- 17. 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.

FIRST READING the 11 day of September, 2012

SECOND READING the 23 day of October, 2012

PASSED AT THE THIRD READING the 23 day of October, 2012.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE C – Responsibilities

AC = Assistant Clerk from Member Municipality

A = assessor from Member Municipality

C = Clerk for Regional Board

AC	RECEIPT OF APPEAL
AC	<ul style="list-style-type: none"> • collect fee
AC	<ul style="list-style-type: none"> • review appeal for validity / compliance with legislation/jurisdictional
AC	<ul style="list-style-type: none"> • open file & send to assessor and Clerk
	INITIAL STAGES
A / AC	<ul style="list-style-type: none"> • preliminary discussions & disclosure of information occurs between complainant and assessor
A / AC	<ul style="list-style-type: none"> • assessor advises assistant Clerk if matter is resolved or proceeding to appeal
AC	<ul style="list-style-type: none"> • if resolved, assistant Clerk advises the Clerk and administers withdraw in accordance with local practice (refund fee MGA sec 481(2))
AC	<ul style="list-style-type: none"> • if proceeding, assistant Clerk advises Clerk and forwards copy of all appeal documents
AC	<ul style="list-style-type: none"> • assistant Clerk will advise regional Clerk of hearing location preference
C	CONFIRMATION OF RECEIPT OF APPEAL
C	<ul style="list-style-type: none"> • review appeal for appeal type / validity / compliance with legislation
C	<ul style="list-style-type: none"> • determine if issue exists for merit hearing or jurisdictional hearing

C	ASSIGNMENT OF RESOURCES
C	<ul style="list-style-type: none"> • open file / identify all parties involved
C	<ul style="list-style-type: none"> • assign administrative support and board members
C	<ul style="list-style-type: none"> • establish hearing date, schedule facility, board members
C	SEND NOTICE OF HEARING TO COMPLAINANT
C	<ul style="list-style-type: none"> • copies to assistant Clerk, assessor & Minister (if CARB)
C	<ul style="list-style-type: none"> • copies if necessary to property owner, agent, lessee etc.
C	DISCLOSURE
AC / A	<ul style="list-style-type: none"> • complainant provides 1st disclosure to assistant Clerk and assessor
AC	<ul style="list-style-type: none"> • assistant Clerk date stamps submission and forwards a copy to Clerk
A	<ul style="list-style-type: none"> • assessor submits response to assistant Clerk and complainant
AC	<ul style="list-style-type: none"> • assistant Clerk date stamps assessors submission and forwards a copy to Clerk
AC	<ul style="list-style-type: none"> • complainant provides rebuttal to assistant Clerk and assessor
AC	<ul style="list-style-type: none"> • assistant Clerk date stamps submission and forwards a copy to Clerk
C	AGENDA
C	<ul style="list-style-type: none"> • Clerk verifies all disclosure
C	<ul style="list-style-type: none"> • Clerk verifies attendance of all parties

C	<ul style="list-style-type: none"> • Clerk will produce agenda packages & provide copies at the hearing for members and public
C	<ul style="list-style-type: none"> • Clerk will liaise with the Board and provide all materials necessary – including legislation
C	<ul style="list-style-type: none"> • Clerk will prepare templates for minutes and decisions of the Board
C	APPEAL HEARING
C	<ul style="list-style-type: none"> • Clerk will attend hearing and prepare the record pursuant to the regulation
C	<ul style="list-style-type: none"> • Clerk will attend deliberations assist the Board to prepare a decision that identifies all issues, arguments, reasons for the decision (including both conformist and dissenting reasons)
C	SEND NOTICE OF DECISION TO COMPLAINANT
C	<ul style="list-style-type: none"> • copies to assistant Clerk, assessor & Minister (if CARB)
C	<ul style="list-style-type: none"> • copies to property owner, agent, lessee etc.
C	REPORTING
C	<ul style="list-style-type: none"> • Clerk will provide the assistant Clerk with a reporting package of the proceedings.
C	<ul style="list-style-type: none"> • invoice for services in accordance with agreement
C	<ul style="list-style-type: none"> • statistics (where necessary)
C	<ul style="list-style-type: none"> • feedback form to establish best practices and service standards for quality control
C	<ul style="list-style-type: none"> • Clerk will compile and retain a record of the hearing in accordance with the regulations

SCHEDULE D – LARB and CARB APPOINTMENTS

LARB #1 Person #1, appointed by a Member Municipality

(Irma, Chauvin, Edgerton or members of the appointed Municipalities, as per Schedule A)

Person #2, appointed by a Member Municipality

(Irma, Chauvin, Edgerton or members of the appointed Municipalities, as per Schedule A)

Person #3, appointed by a Member Municipality

(Irma, Chauvin, Edgerton or members of the appointed Municipalities, as per Schedule A)

CARB #1 Person #1, appointed by a Member Municipality

(Irma, Chauvin, Edgerton or members of the appointed Municipalities, as per Schedule A)

Person #2, appointed by a Member Municipality

(Irma, Chauvin, Edgerton or members of the appointed Municipalities, as per Schedule A)

Person #9, appointed by the Province