



BYLAW 1123
A BYLAW OF THE TOWN OF HINTON
IN THE PROVINCE OF ALBERTA TO ESTABLISH A REGIONAL
ASSESSMENT REVIEW BOARD

WHEREAS pursuant to section 454 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 (MGA), a Council must by bylaw establish a Local Assessment Review Board (LARB) and a Composite Assessment Review Board (CARB).

AND WHEREAS pursuant to section 455 of the MGA, two or more Councils may agree to jointly establish a LARB and a CARB to have jurisdiction in their municipalities as a Regional Assessment Review Board.

NOW THEREFORE the Municipal Council of the Town of Hinton, in the Province of Alberta, duly assembled, hereby enacts:

1.0 CITATION

1.1 This Bylaw may be cited as the "Regional Assessment Review Board Bylaw."

2.0 PURPOSE

2.1 The purpose of this bylaw is to enable municipalities to provide a mechanism for citizens to appeal their property assessment.

3.0 BACKGROUND

3.1 The Partner Municipalities jointly wish to establish the West Yellowhead Regional Assessment Review Board to exercise the functions of a LARB and a CARB under the provisions of the MGA in respect of assessment complaints made by the taxpayers of any Partner Municipality.

4.0 PARTNER MUNICIPALITIES

4.1 The Town of Hinton and the Partner Municipalities hereby jointly establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and a Composite Assessment Review Board (CARB) to have jurisdiction in their municipalities.

5.0 REGIONAL BOARD REVIEW COMMITTEE

5.1 The Regional Board Review Committee consists of the Clerks from each Partner Municipality.

5.2 The Regional Board Review Committee will hold an annual meeting for the Clerks to review the CARB and LARB roles and requirements for the year.

6.0 ESTABLISHMENT OF BOARDS

6.1 The following West Yellowhead Regional Assessment Review Boards are hereby established:

- 6.1.1 One or more LARBs that consist of one Member;
- 6.1.2 One or more LARBs that consist of three Members;
- 6.1.3 One or more CARBs that consist of one Provincial Member; and
- 6.1.4 One or more CARBs that consist of one Provincial Member and two Members.

7.0 APPOINTMENT OF BOARD MEMBERS

7.1 The Council of each Partner Municipality must appoint two (2) or more Members to the LARBs and CARBs pursuant to this bylaw. Provided the Members have taken the necessary training, the same individuals may be appointed to a LARB and CARB.

7.2 Each Partner Municipality may appoint one Member of their Council to a LARB and CARB pursuant to this bylaw. Provided they have taken the necessary training, Members of Council may be appointed to a LARB and CARB.

7.3 Each Partner Municipality must rescind an appointment if the Member:

- 7.3.1 Fails to successfully complete the training program set by the Minister;
- 7.3.2 Does not live up to their commitment to attend hearings;
- 7.3.3 Is no longer eligible pursuant to the Act and regulations passed thereto; or
- 7.3.4 Breaches the pecuniary interest provisions in section 480 of the MGA.

8.0 TERM OF APPOINTMENT

8.1 A Member may be reappointed to the Board at the expiration of his/her term.

8.2 A Member may resign from the Board at any time on written notice to the Designated Clerk to that effect.

8.3 Each Partner Municipality will have the right to rescind the appointment of their Board Member.

8.4 Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing.

9.0 PRESIDING OFFICER

9.1 The Members of every Board established under section 6.1.2 of this bylaw will select a Presiding Officer from among themselves who will:

- 9.1.1 Preside over and be responsible for the conduct of hearings;
- 9.1.2 Vote on matters submitted to the Board unless otherwise disqualified; and
- 9.1.3 Sign orders, decisions, and documents issued by the Board.

10.0 JURISDICTION OF THE BOARD

- 10.1 The Board has jurisdiction to exercise the functions of a LARB and the functions of a CARB under the provisions of the MGA in respect to assessment complaints made by taxpayers of a Partner Municipality.

11.0 DESIGNATED CHAIR

- 11.1 On a rotating basis between Partner Municipalities, Councils must jointly appoint one Board Member as a Designated Chair and must jointly prescribe the Designated Chair's term of office and remuneration and expenses.

12.0 DESIGNATED CLERK

- 12.1 Councils of the Partner Municipalities must jointly appoint a Designated Clerk for the Board.
- 12.2 The Designated Clerk, whenever possible, will be selected from the same municipality as the Designated Chair and be appointed for the same term of office.

13.0 HEARINGS

- 13.1 Hearings will be held at such time as determined by the Designated Clerk, in the municipality where the property under complaint is located.
- 13.2 Each Partner Municipality must provide, at their expense, adequate facilities for the hearings in their municipality.
- 13.3 The proceedings of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25* and the MGA.
- 13.4 The Designated Clerk must attempt to have a majority of Members who do not reside in the municipality in which the property under complaint is located.

14.0 FEES

- 14.1 The fees payable pursuant to section 481(1) of the MGA must be those established by each Partner Municipality for property located in that municipality, provided that such fees do not exceed the maximum fees set out in the *Matters Relating to Assessment Complaints Regulation Alberta Regulation*.

15.0 COSTS AND REMUNERATION

- 15.1 Each Partner Municipality must pay for administrative costs associated with the operations of the Board in their respective municipality, including remuneration for Members, the costs associated with any Provincial Members, and any legal fees.

15.2 Unless otherwise determined by the Partner Municipality that appointed the Member, Members must receive remuneration for training sessions, meetings, decision writing, reviewing draft decisions, and hearings in accordance with the meeting fees set for Members of Council in the respective Partner Municipality.

16.0 BYLAW AMENDMENTS

16.1 In the event that the Council of a Partner Municipality wishes to amend the Regional Assessment Review Board Bylaw, the Clerk of that municipality will bring the proposed amendments to the Regional Board Review Committee for discussion and presentation to their respective Councils.

16.2 If the Councils of the Partner Municipalities cannot reach an agreement on the proposed amendments, the Mayors of the Partner Municipalities shall meet to consider the matter.

16.3 If a Partner Municipality intends to no longer be a part of the West Yellowhead Regional Assessment Review Board, they must give the Councils of Partner Municipalities no less than thirty (30) days' written notice of that intention prior to the meeting at which any motion or bylaw to cease participation in the Board is to be considered.

17.0 DISPUTE RESOLUTION

17.1 In the event that a dispute arises between any of the Partner Municipalities regarding any of the clauses in this Bylaw, or over a financial matter regarding the operation of the LARB or CARB Boards, the Chief Administrative Officers of the Partner Municipalities must meet to consider the matter.

17.2 The decision of the panel of Chief Administrative Officers will be final.

18.0 TRANSITIONAL

18.1 This Bylaw comes into effect on the day it is passed.

18.2 Inter-Municipal Assessment Review Board Bylaw #1115 is repealed upon this Bylaw coming into effect.

19.0 DEFINITIONS

19.1 Except as otherwise provided herein, words in this Bylaw have the meanings prescribed in the MGA.

19.2 **Board:** the West Yellowhead Regional Assessment Review Board.

19.3 **Clerk:** The clerk appointed by each Partner Municipality to carry out the administrative functions of their municipality's Board activities.

- 19.4 **Council:** The municipal council of each respective Partner Municipality.
- 19.5 **Designated Chair:** the person appointed to carry out the duties and functions of the chair of the LARB and CARB in accordance with section 454 of the MGA, jointly appointed by the Councils of the Partner Municipalities.
- 19.6 **Designated Clerk:** the person appointed to carry out the duties and functions of the clerk of the assessment review boards in accordance with section 456 of the MGA, jointly appointed by the Councils of the Partner Municipalities.
- 19.7 **Member:** a member of the Regional Assessment Review Board.
- 19.8 **Minister:** the Minister determined by the Province to be responsible for the MGA.
- 19.9 **Partner Municipality:** the Town of Hinton, the Town of Edson, the Town of Grande Cache, and the Specialized Municipality of Jasper, who have agreed to jointly establish the West Yellowhead Regional Assessment Review Board.
- 19.10 **Presiding Officer:** the Member of a LARB or CARB designated to chair the meeting.
- 19.11 **Provincial Member:** a person appointed as a provincial member to a CARB by the Minister.

READ A FIRST TIME THIS 12TH DAY OF JUNE, 2018

READ A SECOND TIME THIS 12TH DAY OF JUNE, 2018

READ A THIRD TIME THIS 17TH DAY OF JULY, 2018



MAYOR



DIRECTOR OF CORPORATE SERVICES