

**TOWN OF BRUDERHEIM
BYLAW 08-2019**

A BYLAW TO ESTABLISH A REGIONAL ASSESSMENT REVIEW BOARD.

AS:

- A. Section 454 of the *Municipal Government Act*, RSA 2000, c M-26 provides that Council must by bylaw establish a local assessment review board and a composite assessment review board;
- B. Section 454.1(1) of the *Municipal Government Act* provides that 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;
- C. Section 454.2(1) of the *Municipal Government Act* provides that Council must appoint at least 2 persons as members of the composite assessment review board, prescribe the term of office of each member appointed, and prescribe the remuneration and expenses if any payable to each member;
- D. Section 455(1) of the *Municipal Government Act* provides that two or more councils 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
- E. Strathcona County and the Town of Bruderheim jointly wish to establish a regional assessment review board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of the respective municipalities.



Council enacts:

PART I – CITATION, PURPOSE, INTERPRETATION, AND DEFINITIONS

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| Citation | 1 | This bylaw may be cited as the "Regional Assessment Review Board Bylaw." |
| Purpose | 2 | The purposes of this bylaw are to: <ul style="list-style-type: none">i. establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in the Partner Municipalities; andii. establish procedures to be followed by the Regional Assessment Review Board. |

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- Interpretation 3 The following rules apply to interpretation of this bylaw:
- i. the marginal notes and headings in this bylaw are for reference purposes only;
 - ii. if there is a conflict between a provision of this bylaw and an enactment, the enactment governs; and
 - iii. any reference to an enactment or bylaw includes all amendments or successor enactments or bylaws, and applicable regulations or orders established under the enactment or bylaw.
- Definitions 4 In this bylaw, words have the meaning given to them in this section, but if not defined in this bylaw, they have the same meaning as under the *Municipal Government Act*:
- i. "Board" means the Regional Assessment Review Board;
 - ii. "Chair" means an individual who is designated by the Councils of the Partner Municipalities as chair of the Regional Assessment Review Board;
 - iii. "Clerk" means the person appointed to carry out the duties and functions of the clerk of the Regional Assessment Review Board in accordance with section 456 of the *Municipal Government Act*;
 - iv. "Composite Assessment Review Board" means the composite assessment review board established pursuant to this bylaw in accordance with section 455 of the *Municipal Government Act*;
 - v. "County" means the municipal corporation of Strathcona County or the geographic area municipally described as Strathcona County, as the context requires;
 - vi. "Council" means the municipal Council of the County or Town;
 - vii. "Local Assessment Review Board" means the local assessment review board established pursuant to this bylaw in accordance with section 455 of the *Municipal Government Act*;
 - viii. "Mayor" means the Chief Elected Official of the County or Town;
 - ix. "Member" means an individual who is appointed to the Regional Assessment Review Board;
 - x. "Partner Municipalities" means both Strathcona County and the Town of Bruderheim;


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- xi. "Municipal Government Act" means the Municipal Government Act, RSA 2000, c M-26; and
- xii. "Town" means the municipal corporation of the Town of Bruderheim or the geographic area municipally described as the Town of Bruderheim, as the context requires.

PART II – ESTABLISHMENT AND CONDUCT OF REGIONAL ASSESSMENT REVIEW

- Establishment 5 The County and the Town jointly establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in their municipalities.

- Conduct and Procedures 6 The Board will conduct itself in accordance with:
 - i. the Municipal Government Act;
 - ii. County bylaws, policies and procedures; and
 - iii. Any other agreement between the Partner Municipalities related to the Regional Assessment Review Board.

- Resources 7 Administrative support and resources will be provided to the Board by the County.

PART III – REGIONAL ASSESSMENT BOARD MEMBERSHIP

- Ineligibility 8 The following persons may not be Members:
 - i. the Mayors of the Partner Municipalities;
 - ii. members of Council for the Partner Municipalities;
 - iii. an employee of the Partner Municipalities;
 - iv. any person who was an employee of the Partner Municipalities in the year prior to the date of appointment as a Member;
 - v. persons who are not resident in the Partner Municipalities; and
 - vi. any other person who is not eligible to be a Member as set out in the Municipal Government Act.

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| Appointment of Members | 9 | The County Council will appoint the Members as required by the <i>Municipal Government Act</i> , and in accordance with any other agreement between the Partner Municipalities. |
| Revocation of Members | 10 | The County Council may revoke the appointment of any Member at any time and for any reason. |
| | 11 | The Town may, by council resolution, request the revocation of any Member's appointment. |
| Terms | 12 | The County Council will appoint Members for terms up to 3 years. |
| | 13 | Members may be re-appointed for successive terms totaling not more than 6 consecutive years, unless otherwise directed by County Council. |
| Designation of Chair | 14 | The Councils of the Partner Municipalities will jointly designate the Chair for a term of up to one year. |
| | 15 | The Chair may be re-designated for successive terms totaling not more than 3 consecutive years, unless otherwise directed by the Councils of the Partner Municipalities. |
| Remuneration | 16 | Remuneration and expenses, if any, for Members and the Chair is set out in Schedule A of this bylaw. |
| Training | 17 | Members will meet the requirements set out in the <i>Municipal Government Act</i> 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 | 18 | Members will conduct themselves in accordance with the <i>Municipal Government Act</i> . |

PART IV – CHAIRS OF ASSESSMENT REVIEW BOARDS

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| Chair Duties | 19 | A Chair will fulfill their duties as set out in the <i>Municipal Government Act</i> . |
| Delegation | 20 | A 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 | 21 | A Chair will give notice to the Clerk of the names of the Members of any panel of the Regional Assessment Review Board convened to hear a complaint. |
| | 22 | A Chair will give notice to the Clerk of the name of the Presiding Officer of any panel of the Regional Assessment Review Board |

convened to hear a complaint and sitting as a local assessment review board.

PART V – CLERK OF REGIONAL ASSESSMENT REVIEW BOARD

- Appointment of Clerk 23 The person appointed as clerk in County Bylaw 64-2017 Designated Officers Bylaw is jointly appointed by the Partner Municipalities.
- Qualifications 24 The Clerk will meet the qualification requirement and fulfill the duties as set out in the *Municipal Government Act*, and will act in accordance with County bylaws, policies and procedures.

PART VI – Transitional Provisions and Repeal

- Transitional 25 On the coming into force of this bylaw, any member of the Partner Municipalities Assessment Review Board is deemed to be a Member of the Regional Assessment Review Board.
- Repeal 26 Town of Bruderheim Bylaw 789-2008 is repealed upon third and final reading of Bylaw 08-2019.

Read a first time this 21 day of AUG, 2019.

Read a second time this 04 day of SEPT, 2019.

Read a third time this 04 day of SEPT, 2019.

Signed this 04 day of SEPT, 2019.

_____ Mayor
Administration

Schedule A

Honorarium for Regional Assessment Review Board		
	Per Meeting up to and including 4 hours	Per Meeting over 4 hours
Presiding Officer	\$230	\$425
Member	\$170	\$320