



BYLAW NO. 16-2019
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA

A BY-LAW OF THE VILLAGE OF WABAMUN FOR THE PURPOSE OF ESTABLISHING ASSESSMENT REVIEW BOARDS AND THE APPOINTMENT OF A DESIGNATED OFFICER TO ACT AS CLERK OF THE ASSESSMENT REVIEW BOARDS

WHEREAS Section 454 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, requires that Council must by bylaw establish a Local Assessment Review Board and a Composite Assessment Review Board;

WHEREAS Section 456 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, requires that Council must appoint a Designated Officer to act as the Clerk of the Assessment Review Boards having jurisdiction in the Village of Wabamun;

NOW THEREFORE, the Council of the Village of Wabamun duly assembled, enacts as follows:

1. Short Title

This Bylaw may be referred to as the “Assessment Review Board Bylaw”

2. Definitions

- a. “Assessment Review Board (ARB)” means either the Local Assessment Review Board (LARB) or the Composite Assessment Review Board (CARB);
- b. “Clerk” means the Designated Officer appointed pursuant to Section 456 of the *Municipal Government Act* who is accredited by the Municipal Government Board to act as the Clerk of the Assessment Review Board for the Village of Wabamun;
- c. “Commission” means Capital Region Assessment Services Commission;
- d. “Composite Assessment Review Board (CARB)” means a board established pursuant to section 454 of the *Municipal Government Act* to hear and make decisions on complaints referred to in Section 460.1(2) of the *Municipal Government Act*;
- e. “Council” means the duly elected Council of the Village of Wabamun;
- f. “Local Assessment Review Board (LARB)” means a board established pursuant to section 454 of the *Municipal Government Act* to hear and make decisions on complaints referred to in section 460.1(1) of the *Municipal Government Act*;
- g. “Municipal Government Act” means the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto;
- h. “Panelist” – means an appointed member of an ARB selected to hear an appeal hearing, in the case of a CARB this would include a provincial member
- i. “Provincial Member” - means an individual who is accredited by the Alberta Municipal Government Board to hear assessment complaints and who will be appointed to the Assessment Review Boards;
- j. “Village” means the Village of Wabamun

3. General

- a. Council hereby establishes the following boards:
 - i. Local Assessment Review Board; and
 - ii. Composite Assessment Review Board

4. Duties and Authorities

- a. The Assessment Review Boards shall carry out the duties and responsibilities as set out in the Municipal Government Act and its regulations
- b. Annually, Council shall by resolution appoint:
 - i. The list of ARB members;
 - ii. The names of the Chair of the LARB and CARB; and
 - iii. The Clerk provided to the Village by the Commission
- c. All members and the Clerk serve at the pleasure of Council and may be removed by resolution of Council where, in the opinion of Council, removal is warranted

5. Board Establishment

- a. A council must appoint at least 3 persons as members of the LARB and prescribe the term of office of each member appointed
- b. A council must appoint at least 2 persons as members of the CARB and prescribe the term of office of each member appointed
- c. The clerk of an ARB is established as a designated officer

6. Fees

- a. Compensation payable to the Commission for its performance including annual fees, hearing fees, Panelist fees and Clerk fees as outlined in a Memorandum of Agreement between the Commission and the Village
- b. Filing a Complaint
 - i. Upon receipt of an assessment complaint, the Village shall provide to the Commission a completed Assessment Review Complaint form and supporting documentation in a timely manner
 - ii. A complaint must be accompanied by the appropriate fee as established in Schedule 'A' of this bylaw

7. Effectiveness and Review

- a. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid
- b. Bylaws #18-2011 and #17-2011 are hereby rescinded in their entirety upon this bylaw coming into force
- c. This bylaw shall take full force and effect upon signing after passage of third and final reading

READ A FIRST TIME IN COUNCIL THIS 21ST DAY OF MAY, 2019

READ A SECOND TIME IN COUNCIL THIS 21ST DAY OF MAY, 2019

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 21ST DAY OF MAY, 2019

Signed by the CEO this date

CHIEF ELECTED OFFICIAL

Signed by the CAO this date

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE A

a) Assessment Appeals

- | | | |
|------|---|--------------------------------------|
| i. | Residential – 3 or fewer Dwellings
(required with application) | \$100/property or dwelling |
| ii. | Residential – 4 or more dwellings
with application) | \$100/property or dwelling (required |
| iii. | Non-residential | \$200 (required with application) |

Fees and refunds subject to Sec. 481 and 468.1 of the MGA or other applicable legislation

Fees for appeals which are withdrawn at least 14 days prior to the sitting of an ARB will be refunded