

**BYLAW 1899-18
IN THE
CITY OF WETASKIWIN
IN THE PROVINCE OF ALBERTA**

WHEREAS the Municipal Government Act, R.S.A. 2000, Chapter M-26 as amended (the "Act") authorizes the establishment of Assessment Review Boards; and

WHEREAS the Council of the City of Wetaskiwin wishes to establish Assessment Review Boards;

NOW THEREFORE the Council of the City of Wetaskiwin, duly assembled, hereby enacts as follows:

1. This Bylaw may be cited as the "Assessment Review Boards Bylaw".

Definitions

2. The following definitions shall apply in this bylaw:

- 2.1 "**Chair**" shall mean the member of the assessment review board designated as chair under Section 454.1(2), 454.2(2) or 455(2) of the Act. The Chair is responsible, as prescribed in this Bylaw, to assemble a panel to hear a matter and to establish the date and time for hearings. As further prescribed in this Bylaw, the Chair may or may not be the Presiding Officer at a hearing.
- 2.2 "**City Manager**" means the person appointed by Council as the Chief Administrative Officer of the City of Wetaskiwin.
- 2.3 "**Clerk**" means the designated officer appointed under Section 456 of the Act as the Clerk of the Assessment Review Boards for purposes of this Bylaw.
- 2.4 "**Member at Large**" means a member of the Local Assessment Review Board or Composite Assessment Review Board, as the case may be, that has been appointed by the City of Wetaskiwin Council and does not include anyone serving as a Member of any municipal Council in Alberta.

- 2.5 **"Panel"** means a portion of the membership of a Local Assessment Review Board or Composite Assessment Review Board, as the case may be, responsible for hearing and deciding on a matter before the respective board.
- 2.6 **"Presiding Officer"** means the member of the Local Assessment Review Board or Composite Assessment Review Board, as the case may be, responsible for presiding over the hearing process.

- 2.6 **"Provincial Member"** means a person assigned by the Municipal Government Board of Alberta, on behalf of the Minister of Municipal Affairs, to serve as a member of the City of Wetaskiwin Composite Assessment Review Board and to serve as the Presiding Officer for any such hearing.

Establishment of Boards

- 3. The Council of the City of Wetaskiwin hereby establishes the following Assessment Review Boards for the City of Wetaskiwin:

- 3.1 Local Assessment Review Board (LARB) which shall consist of no more than two (2) members of Council and no more than four (4) Members at Large.
 - 3.1a The first LARB panel established in a calendar year shall be chaired by the Member of Council appointed to the Board with the first letter of their surname closest to the beginning of the alphabet. If two members of Council have been appointed to the LARB, the second matter heard that year will be chaired by the Council member whose first letter of their surname is next closest to the beginning of the alphabet. Notwithstanding the above, if a member of Council appointed to the LARB is unavailable for any reason to Chair a panel, the other Council member may serve in their absence.
 - 3.1b A three (3) member panel hearing a matter shall include no more than one (1) Council Member and no more than two (2) Members at Large. The Council member on the panel shall preside over the hearing proceedings.
 - 3.1c When the Act (and regulations to the Act) allows for one (1) member of the Local Assessment Review Board to preside over a matter, the Chairman shall

appoint a Member at Large to preside over the matter.

3.1d The Chair of a panel, with the assistance of the Clerk of the Assessment Review Board if necessary, shall assemble the panel to hear a matter before the LARB and shall determine the date, time and location of the hearing in compliance with the Act and applicable regulations.

3.2 Composite Assessment Review Board (CARB) which shall consist of no more than one (1) Provincial Member, two (2) members of Council and four (4) members at large.

3.2a The Provincial Member shall preside over all hearings of the CARB.

3.2b The first CARB panel established in a calendar year shall be chaired by the Member of Council appointed to the Board with the first letter of their surname closest to the beginning of the alphabet. If two members of Council have been appointed to the CARB, the second matter heard that year will be chaired by the Council member whose first letter of their surname is next closest to the beginning of the alphabet. Notwithstanding the above, if a member of Council appointed to the CARB is unavailable for any reason to Chair a panel, the other Council member may serve in their absence.

3.2c A three member panel hearing a matter shall consist of no more than one (1) provincial member, no more than one (1) member of Council and no more than one (1) Member at Large.

3.2d When the Act (and regulations to the Act) allows for one (1) member of the Composite Assessment Review Board to preside over a matter, the provincial member shall be the sole member of the panel and shall preside over the matter.

3.2e The Chair of a panel, with the assistance of the Clerk of the Assessment Review Board if necessary, shall assemble the panel to hear a matter before the CARB and shall determine the date, time and location of the hearing in compliance with the Act and applicable regulations.

4. No member may serve on any panel of either the LARB or CARB unless that member has taken, completed and successfully passed the requisite training and exam(s) required by the Province of Alberta and that Member's training remains valid at the time of the hearing.
5. At the annual Organizational Meeting of Council held pursuant to the provisions of the Municipal Government Act, the Council shall, by resolution, appoint no more than two (2) members of the Council to serve on the City of Wetaskiwin LARB and CARB for the following calendar year.
6. Council may appoint Members at Large to serve on one or both boards, at any duly constituted meeting provided the number of appointees does not exceed the prescribed maximum number of appointees. Council may appoint any Member at Large for a term not to exceed three (3) years. Council may further extend the term of any Member at Large whose term is, or has, expired, by a period not to exceed three (3) years.
7. Council may, by resolution, at any duly constituted meeting, in its sole discretion and without reason, remove any Member at Large from any Assessment Review Board.
8. Council may appoint any adult resident of Alberta that is not otherwise ineligible under this Bylaw, the Act or relevant Regulations, to serve on the LARB or CARB or both, with preference being given to those who meet one or more of the following criteria:
 - Resident of the City of Wetaskiwin;
 - Resident of the County of Wetaskiwin;
 - Property or business owner within the City of Wetaskiwin.
9. The Presiding Officer of each panel will, consistent with any requirements of the Act, this Bylaw and applicable regulations, establish procedures to be used for conducting the hearing, and may consult with other panel members, Board members and the Clerk in doing so.

Remuneration for Members

10. Members at Large serving at a hearing shall be compensated for each day of service, or portion thereof, at the same rate as the per diem rate established under policy for a full day of service for a Council Member. Should no per diem rate be in place at the time that a Member at Large serves on a panel, then the member shall be paid \$200.00 for each day of service, or portion thereof.
11. Members at Large will be paid per diems at rates as outlined in Section 10 of this Bylaw for each day of Training attended. Additionally, the City of Wetaskiwin will reimburse each Member at Large's expenses for travel, meals and accommodations at the same rates established under the City of Wetaskiwin Council remuneration policy.

Appointment of Clerk of the Assessment Review Board

12. The City of Wetaskiwin Council hereby, in accordance with Section 210 of the Act, establishes the position of Designated Officer with the powers, duties and functions to serve as Clerk of the City of Wetaskiwin Assessment Review Boards.
13. The City Clerk is hereby appointed as the Assessment Review Board Clerk for the City of Wetaskiwin and shall have the prescribed duties, authority and obligations as outlined in the Act, this Bylaw and the *Matters Relating to Assessment Complaints Regulation*.
14. In the event that, for any reason, the City Clerk is unable to serve as the Clerk of the Assessment Review Board with respect to one or more matters to be heard by one of the Assessment Review Boards, the City Manager is hereby delegated the authority to appoint someone else to serve as the Clerk of the Assessment Review Board for the City of Wetaskiwin.
15. Any person serving as Clerk of the Assessment Review Board for any matter must meet all training and other requirements under the Act and relevant regulations prior to carrying out the duties of the position.

16. The annual salary of the City Clerk includes remuneration for services as the Clerk of the Assessment Review Board. In the event that the City Manager appoints someone to serve as Clerk of the Assessment Review Board in the City Clerk's absence, the rate of remuneration shall be an amount mutually agreed upon between the City Manager and the substitute Clerk.

Complaint Fees

17. The City of Wetaskiwin Council hereby establishes the following Assessment Complaint Fees and provisions regarding the disposition of same:
 - 15a. For all matters heard before the Local Assessment Review Board, the complaint fee shall be \$50.00 per tax roll number;
 - 15b. For all matters heard before the Composite Assessment Review Board, the complaint fee shall be \$50.00 per \$100,000 of property assessment or portion thereof, up to a maximum complaint fee of \$500.00, per tax roll number;
 - 15c. The disposition of each complaint fee will be determined by the panel deciding on the complaint in question;
 - 15d. In the event that a complaint is withdrawn prior to the hearing, the complaint fee will be refunded.

Repeal and Coming into Effect

18. City of Wetaskiwin Bylaw 1776-11 is hereby repealed.
19. This bylaw comes into force upon final passing.

Read a first time this 12th day of February, 2018

Read a second time this 12th day of February, 2018

Read a third time and finally passed this 12th day of February, 2018.

ORIGINAL SIGNED
MAYOR

ORIGINAL SIGNED
CITY MANAGER

