

TOWN OF PICTURE BUTTE

BYLAW 821-10

A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ESTABLISH A REGIONAL LOCAL ASSESSMENT APPEAL BOARD AND REGIONAL COMPOSITE ASSESSMENT APPEAL BOARD;

AND WHEREAS the Municipal Government Act, Chapter M-26, 2000 Alberta Regulation 310/2009 as amended requires the municipality to adopt a Bylaw to establish a Regional Local Assessment Appeal Board and a Regional Composite Assessment Appeal Board;

AND WHEREAS the Council of the Town of Picture Butte wishes to join other area municipalities to establish a Regional Local Assessment Appeal Board and a Regional Composite Assessment Appeal Board;

AND WHEREAS a Local Assessment Appeal Board and Composite Assessment Appeal Board is authorized to render decisions on appeals resulting from property assessment and tax notices in accordance with the Municipal Government Act, Chapter M-26, 2000 Alberta Regulation 310/2009 as amended;

NOW THEREFORE, the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

This Bylaw may be cited as the Regional Assessment Appeal Boards Bylaw.

1. REGIONAL ASSESSMENT APPEAL BOARDS:

1. DEFINITIONS

- a) **ACT** means the Municipal Government Act, Chapter M-26, 2000 Alberta Regulation 310/2009.
- b) **MEMBER MUNICIPALITY** means the municipality in the Province of Alberta who has entered the agreement referred to in Section 2.
- c) **COUNCIL** means the Council of the Town of Picture Butte.
- d) **LOCAL ASSESSMENT APPEAL BOARD** means the Board established by agreement to act as the Regional Local Assessment Appeal Board.
- e) **COMPOSITE ASSESSMENT APPEAL BOARD** means the Board established by agreement to act as the Regional Composite Assessment Appeal Board.
- f) **MEMBER** means a member of the Regional Local Assessment Appeal Board or Regional Composite Appeal Board in accordance with this Bylaw and the Municipal Government Act, Chapter M-26, 2000 Alberta Regulation 310/2009.
- g) **SECRETARY** means the person or persons authorized to act as secretary for the Local Assessment Appeal Board and Composite Assessment Appeal Board by the member municipality within which the appeal is held.
- h) All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act.

2. AGREEMENT

1. The Town of Picture Butte is authorized to enter an agreement with:
 1. The Town of Coaldale
 2. The Town of Coalhurst.

to establish the Regional Local Assessment Appeal Board and the Regional Composite Assessment Appeal Board.

3. REGIONAL LOCAL ASSESSMENT APPEAL BOARD

1. Appointments to the Regional Local Assessment Appeal Board shall be made by resolution of the Council of the member municipality and shall consist of either one member of Council or one member at large from each participating municipality.
2. All members and secretaries of the Regional Local Assessment Appeal Board shall receive training as set out in the Act.
3. A quorum shall consist of two appointed members of the Regional Local Assessment Appeal Board.
4. Appointments shall be made for a term:
 1. The 2010 appointment is made for a term not to go past the 2010 Organizational Meeting due to an election year;
 2. The terms are set at the 2010/2011 Organizational Meeting for 3 years henceforth.
5. The members of the Regional Local Assessment Appeal Board shall elect one of themselves as chair for the purpose of a hearing; the chair may be a member from the municipality in which the appeal is located.
6. Each member of the Regional Local Assessment Appeal Board shall be entitled to such remuneration, traveling and living expenses as may be fixed from time to time by the Councils; and the remunerations, traveling and living expenses shall be paid by the municipality in which the appeal is located.
7. The Council in the municipality in which the appeal is located may, by resolution, appoint a Secretary who may be an employee of the municipality and shall attend all meetings of the Regional Local Assessment Appeal Board held in that member municipality, but shall not vote on any matter before the Appeal Board.
8. The Regional Local Assessment Appeal Board shall hold meetings as required pursuant to the Act.
9. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Regional Local Assessment Appeal Board.
10. The Regional Local Assessment Appeal Board may make rules to govern its hearings.
11. When a person ceases to be a member of the Regional Local Assessment Appeal Board before the expiration of his/her term the applicable Council may, by resolution, appoint another person for the unexpired portion of that term.
12. The secretary of the Regional Local Assessment Appeal Board shall attend all meetings of the Appeal Board and shall keep the following records of appeals related to their municipality with respect to:
 1. The minutes of all meetings;
 2. Records of all notices of meetings and of persons to whom they were sent;
 3. Copies of all written representations to the Appeal Board;
 4. notes as to each representation;

5. The names and addresses of those making representations at the meeting;
6. The decision of the Appeal Board;
7. The reasons for the decision of the Appeal Board on the decision;
8. The vote of the members of the Appeal Board on the decision;
9. Records of all notices of decision and of persons to whom they were sent;
10. All notices, decisions and orders made on appeal from the decision of the Appeal Board;
11. Such other matters as the Appeal Board may direct.

4. REGIONAL COMPOSITE ASSESSMENT APPEAL BOARD

1. Appointments to the Regional Composite Assessment Appeal Board shall be made by resolution of the Council of the member municipality and shall consist of:
 1. Either one member of Council or one member at large;
 2. One appointed member from one of the two participating municipalities; and
 3. One member appointed by the Minister of Municipal Affairs.
2. All members and secretaries of the Regional Local Assessment Appeal Board shall receive training as set out in the Act.
3. A quorum shall consist of two appointed member of the Regional Composite Assessment Appeal Board.
4. Appointments shall be made for a term:
 1. The 2010 appointment is made for a term not to go past the 2010 Organizational Meeting due to an election year;
 2. The terms are set at the 2010/2011 Organizational Meeting for 3 years henceforth.
5. The members of the Regional Composite Assessment Appeal Board shall elect one of themselves as chair for the purpose of a hearing; the chair may be a member from the municipality in which the appeal is located.
6. Each member of the Regional Composite Assessment Appeal Board shall be entitled to such remuneration, traveling and living expenses as may be fixed from time to time by the Councils; and the remunerations, traveling and living expenses shall be paid by the municipality in which the appeal is located.
7. The Council in the municipality in which the appeal is located may, by resolution, appoint a Secretary who may be an employee of the municipality and shall attend all meetings of the Regional Composite Assessment Appeal Board held in that member municipality, but shall not vote on any matter before the Appeal Board.
8. The Regional Composite Assessment Appeal Board shall hold meetings as required pursuant to the Act.
9. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Regional Composite Assessment Appeal Board.
10. The Regional Composite Local Assessment Appeal Board may make rules to govern its hearings.
11. When a person ceases to be a member of the Regional Composite Assessment Appeal Board before the expiration of his/her term the applicable Council may, by resolution, appoint another person for the unexpired portion of that term.
12. The secretary of the Regional Composite Assessment Appeal Board shall attend all meetings of the Appeal Board and shall keep the following records of appeals related to their municipality with respect to:
 1. The minutes of all meetings;
 2. Records of all notices of meetings and of persons to whom they were sent;
 3. Copies of all written representations to the Appeal Board;

4. Notes as to each representation;
5. The names and addresses of those making representations at the meeting;
6. The decision of the Appeal Board;
7. The reasons for the decision of the Appeal Board on the decision;
8. The vote of the members of the Appeal Board on the decision;
9. Records of all notices of decision and of persons to whom they were sent;
10. All notices, decisions and orders made on appeal from the decision of the Appeal Board;
11. Such other matters as the Appeal Board may direct.

MOVED by Deputy Mayor Sheen that Bylaw 821-10 be read a first time this 8th day of February 2010.
CARRIED

MOVED by Councillor Hurkens that Bylaw 821-10 be read a second time this 8th day of February 2010.
CARRIED

MOVED by Councillor Oosterbroek that permission be granted to give third reading to Bylaw 821-10 this 8th day of February 2010.
CARRIED UNANIMOUSLY

MOVED by Councillor Jones that Bylaw 821-10 be read a third time and finally passed this 8th day of February 2010
CARRIED

Terry Kerkhoff
Mayor

Audrey R. Mortensen
Chief Administrative Officer