

BYLAW 57-2017

ASSESSMENT REVIEW BOARDS BYLAW

STRATHCONA COUNTY

WHEREAS pursuant to section 454 of the *Municipal Government Act*, RSA 2000, c M-26, Council must by bylaw establish a local assessment review board and a composite assessment review board;

WHEREAS pursuant to section 454.1 of the *Municipal Government Act* 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;

WHEREAS pursuant to section 454.2 of the *Municipal Government Act* Council must appoint at least 2 persons as members of the composite 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;

AND WHEREAS pursuant to section 145 of the *Municipal Government Act* Council may pass bylaws in relation to the procedures to be followed by Council, council committees and other bodies established by the Council;

AND WHEREAS pursuant to section 154 of the *Municipal Government Act* the chief elected official is a member of all council committees and bodies to which Council has the right to appoint members under the *Municipal Government Act* unless Council provides otherwise;

NOW THEREFORE, the Council of Strathcona County enacts as follows:

PART I

CITATION, PURPOSE, INTERPRETATION, AND DEFINITIONS

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

Purpose 2 The purposes of this bylaw are:

- (1) to establish the Local Assessment Review Board;
- (2) to establish the Composite Assessment Review Board;
and
- (3) to establish procedures to be followed by the Local Assessment Review Board and the Composite

Assessment Review Board.

- Interpretation** 3 The headings in this bylaw are for reference purposes only.
- 4 References to enactments and bylaws in this bylaw include amendment and replacement enactments and bylaws, and regulations and orders made in accordance with them.
- Definitions** 5 In this bylaw:
- (1) "Assessment Review Boards" means collectively the Composite Assessment Review Board and the Local Assessment Review Board;
 - (2) "Chair" means an individual who is appointed by Council as chair of the Local Assessment Review Board or the Composite Assessment Review Board;
 - (3) "Chief Commissioner" means the chief administrative officer of the County or delegate;
 - (4) "Clerk" means the designated officer appointed as clerk of the Assessment Review Boards in accordance with section 456 of the *Municipal Government Act*;
 - (5) "Composite Assessment Review Board" means the composite assessment review board established pursuant to this bylaw in accordance with section 454 of the *Municipal Government Act*;
 - (6) "Council" means the municipal council of the County;
 - (7) "County" means the municipal corporation of Strathcona County;
 - (8) "Local Assessment Review Board" means the local assessment review board established pursuant to this bylaw in accordance with section 454 of the *Municipal Government Act*;
 - (9) "Mayor" means the chief elected official of the County;
 - (10) "Member" means an individual who is appointed to the Composite Assessment Review Board, the Local Assessment Review Board, or the Composite Assessment Review Board and the Local Assessment Review Board; and

(11) "Municipal Government Act" means the *Municipal Government Act*, RSA 2000, c M-26.

PART II
ESTABLISHMENT AND CONDUCT OF ASSESSMENT REVIEW BOARDS

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| Establishment | 6 | Council establishes the Local Assessment Review Board. |
| | 7 | Council establishes the Composite Assessment Review Board. |
| Conduct and Procedures | 8 | The Assessment Review Boards will conduct itself in accordance with the <i>Municipal Government Act</i> , and County bylaws, policies and procedures. |
| Resources | 9 | Administrative support and resources will be provided to the Assessment Review Boards as directed by the Chief Commissioner. |

PART III
MEMBERSHIP OF ASSESSMENT REVIEW BOARDS

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| Ineligibility | 10 | The following persons may not be Members:

(1) the Mayor;

(2) members of Council;

(3) an employee of the County;

(4) any person who was an employee of the County in the year prior to the date of appointment as a member;

(5) persons who are not resident in Strathcona County;
and

(6) any other person who is not eligible to be a Member as set out in the <i>Municipal Government Act</i> . |
| Appointments | 11 | Council will appoint Members and each Chair as required by the <i>Municipal Government Act</i> and in accordance with County bylaws, policies and procedures. |
| | 12 | Council will appoint no more than 4 persons as members of each of the Local Assessment Review Board and the Composite Assessment Review Board. |
| | 13 | At any time a person may be a Member of both of the Local |

Assessment Review Board and the Composite Assessment Review Board.

- 14 Council may revoke the appointment of any Member or Chair if the Member or Chair does not comply with any term of this bylaw.
- Terms**
- 15 Members will be appointed at the pleasure of Council for terms of up to 3 years.
- 16 Members may be re-appointed for successive terms totalling not more than 6 consecutive years, unless otherwise directed by Council.
- 17 Chairs will be appointed at the pleasure of Council for terms of up to one year.
- 18 Chairs may be re-appointed for successive terms totally not more than 3 consecutive years, unless otherwise directed by Council.
- Remuneration**
- 19 Remuneration and expenses, if any, for Members and Chairs will be set by County bylaw or Council resolution.
- Training**
- 20 Members will meet the requirements set out in the *Municipal Government Act* 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**
- 21 Members will conduct themselves in accordance with the *Municipal Government Act*, and County bylaws, policies and procedures.

PART IV

CHAIRS OF ASSESSMENT REVIEW BOARDS

- Chair Duties**
- 22 A Chair will fulfill its duties as set out in the *Municipal Government Act*.
- Delegation**
- 23 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**
- 24 A Chair will give notice to the Clerk of the names of the Members of any panel of the Assessment Review Boards convened to hear a complaint.

Presiding Officer 25 A Chair will give notice to the Clerk of the name of the presiding officer of any panel of the Local Assessment Review Board convened to hear a complaint.

**PART V
CLERK OF ASSESSMENT REVIEW BOARDS**

Clerk Duties 26 The Clerk will meet the qualification requirements and fulfill its duties as set out in the *Municipal Government Act*, and will act in accordance with County bylaws, policies and procedures.

**PART VI
TRANSITIONAL PROVISIONS, REPEAL AND COMING INTO FORCE**

Transitional 27 On the coming into force of this bylaw, any member of the Assessment Review Board is deemed to be a Member of the Assessment Review Boards.

Repeal 28 County Bylaw 7-2010 is repealed.

Coming into Force 29 This bylaw comes into force on the 1st day of January, 2018.

READ A FIRST TIME THIS 31st day of October, 2017.

READ A SECOND TIME THIS 31st day of October, 2017.

READ A THIRD TIME THIS 31st day of October, 2017.

SIGNED THIS 1st day of November, 2017.

Rod Frank
MAYOR

Mavis Nathoo
DIRECTOR, LEGISLATIVE AND LEGAL
SERVICES