

**BYLAW 16-019  
OF  
LAC LA BICHE COUNTY**

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A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA IN RELATION TO THE ESTABLISHMENT OF ASSESSMENT REVIEW BOARDS.

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WHEREAS under the authority and pursuant Section 454 of the Municipal Government Act, Chapter M 26, R.S.A. 2000, and amendments thereto, Council may establish one or more local assessment review boards and one or more composite assessment review boards;

AND WHEREAS pursuant to Section 454.1 and 454.2 of the Municipal Government Act, a council must appoint three persons as members to each local assessment review board and two persons as members to each composite assessment review board;

AND WHEREAS pursuant to Section 454.1(2) a Council may establish a local assessment review board consisting of one member;

AND WHEREAS pursuant to Section 454.2(3) a Council may establish a composite assessment review board consisting of one member;

NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Act, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

TITLE

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

DEFINITIONS

2. In this Bylaw:
  - a) "Act" means the Municipal Government Act (Alberta) and regulations thereunder.
  - b) "Authorized Substitute" means a Local Member who is authorized by appointment to fill a vacancy.
  - c) "Chief Administrative Officer" means the person appointed by Lac La Biche County Council as the Chief Administrative Officer of the municipality.
  - d) "Clerk" means the Designated Officer appointed by Council to act as the Clerk of the assessment review boards.

- e) "Composite Review Board" means a board established to hear and make decisions on complaints about any matter referred to in Section 450(5) of the Municipal Government Act that is shown on an assessment notice for non-residential property and residential property with four or more dwelling units;
- f) "Council" means the Council of Lac La Biche County;
- g) "Designated Officer" means a Designated Officer as defined by the Act.
- h) "Local Assessment Review Board" means a board established to hear and make decisions on complaints about any matter referred to in Section 460(5) of the Municipal Government Act that is shown on an assessment notice or tax notice other than a property tax notice for residential properties with three or less dwelling units, or farmland;
- i) "Local Member" means a Member of a Local Assessment Review Board or Composite Assessment Review Board duly appointed by Council, and may include members of Council and persons who are not Councillors. Those Local Members who are not Councillors are not required to be residents of Lac La Biche County.
- j) "Pecuniary Interest" means a Pecuniary Interest as defined by the Act.
- k) "Provincial Member" means a member appointed by the Minister to sit on a Composite Assessment Review Board established by this bylaw;
- l) "Vacancy" means an absence from a hearing due to:
  - i. a pecuniary interest in the subject matter of the complaint;
  - ii. a direct or indirect interest in the complaint; or
  - iii. a Local Member's ill health, an emergency; or
  - iv. a Local Member's unavailability or any other circumstance.

### ASSESSMENT REVIEW BOARDS

- 3. Council hereby establishes the following Assessment Review Boards for Lac La Biche County:
  - a) Local Assessment Review Board No. 1 shall consist of three (3) Local Members; and
  - b) Local Assessment Review Board No. 2 shall consist of three (3) Local Members; and
  - c) Local Assessment Review Board No. 3 shall consist of one (1) Local Member, when the Board is acting as a One Member Local Assessment Review Board, subject to the conditions prescribed in the Act; and
  - d) Composite Assessment Review Board No. 1 shall consist of one Provincial Member; and two (2) Local Members; and
  - e) Composite Assessment Review Board No. 2 shall consist of one Provincial Member; and two (2) Local Members; and

- f) Composite Assessment Review Board No. 3 shall consist of one (1) Provincial Member, when the Board is acting as a One Member Composite Assessment Review Board, subject to the conditions prescribed in the Act.
4. The quorum for a panel acting as a Local Assessment Review Board is two (2) Local Members.
5. The quorum for a panel acting as a Composite Assessment Review Board is two (2) members, one (1) of which must be a Provincial Member.
6. At the first meeting of a panel acting as a Local Assessment Review Board, the members will select a presiding officer from among themselves.
7. The Provincial Member shall be the presiding officer for a panel acting as a Composite Assessment Review Board.
8. A Local Member must successfully complete training, as prescribed by the Minister, prior to participating in a Board hearing.

#### MEMBERSHIP AND VACANCIES

9. Local Members shall be appointed from time to time by resolution of Council.
10. Council must by resolution specify the dates of the beginning and end of the term of office of a Local Member.
11. A Local Member may resign from the Board at any time by submitting a letter to the Clerk.
12. A Local Assessment Review Board may include any combination of Council Members and persons who are not Councillors.
13. The two (2) Local Members appointed to a Composite Assessment Review Board may be comprised of any combination of Council Members and persons who are not Councillors.
14. A Local Member is an authorized substitute for any other Local Member due to a vacancy at any Local or Composite Assessment Review Board hearing.

#### REMUNERATION

15. Remuneration and traveling expenses for Local Members shall be in accordance with remuneration as specified under the policy of Lac La Biche County, and shall be established by Council from time to time.

#### CLERK

16. The Clerk of the Assessment Review Boards is the Chief Administrative Officer. The Chief Administrative Officer has authority to further delegate his or her duties.

17. The duties of the Clerk shall be directed by the *Municipal Government Act* and the *Matters Pertaining to Assessment Complaints Regulations*.

18. A Clerk, or person delegated the Clerk duties, must successfully complete training, as prescribed by the Minister.

#### SEVERABILITY

19. If any clause in this Bylaw is found to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

#### REPEAL

20. Lac La Biche County Bylaw No 10-010 is hereby repealed.

#### EFFECTIVE DATE

21. This bylaw shall come into effect upon passing of the third reading.

**MOTION BY COUNCILLOR OLSON THAT BYLAW 16-019 BE GIVEN FIRST READING THIS 14<sup>TH</sup> DAY OF JUNE, 2016.**

**MOTION BY COUNCILLOR SIEBOLD THAT BYLAW 16-019 BE GIVEN SECOND READING THIS 14<sup>TH</sup> DAY OF JUNE, 2016.**

**MOTION BY COUNCILLOR HAYMOUR THAT BYLAW 16-019 BE SUBMITTED FOR THIRD AND FINAL READING THIS 14<sup>TH</sup> DAY OF JUNE, 2016.**

**MOTION BY COUNCILLOR NOWAK THAT BYLAW 16-019 BE GIVEN THIRD READING THIS 14<sup>TH</sup> DAY OF JUNE, 2016.**

“Original Signed”

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Mayor

“Original Signed”

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Chief Administrative Officer