



TOWN OF MANNING, ALBERTA

BY-LAW 836-16

REGIONAL ASSESSMENT REVIEW BOARDS

A By-law of the Town of Manning in the Province of Alberta for the purpose of establishing a Regional Assessment Review Boards

WHEREAS Section 456 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

AND WHEREAS the Town of Manning and the Regional Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARS) and the functions of a Composite Assessment Review Board (CARS) under the provisions of the Municipal Government Act in respect of assessment complaints made by taxpayers of a Regional Partner Municipality;

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

AND WHEREAS Section 454.2(3) a council may establish a composite assessment review board consisting of only a provincial member appointed by the Minister;

NOW THEREFORE PURSUANT to the provisions of the Municipal Government Act, Chapter M26, the Council of the Town of Manning, Alberta, in regular session duly assembled, enacts as follows:

SEVERABILITY

If any provision of this by-law is declared invalid because of any word, phrase, clause, sentence, paragraph or section of this by-law or any documents which form part of this by-law or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby, but shall remain in force.

SECTION 1 – SHORT TITLE

This By-law may be cited as the “Regional Assessment Review Boards By-law”.

SECTION 2 – DEFINITIONS

- 2.1 “Board” means the Regional Assessment Review Board;
- 2.2 “Clerk” means the designated officer appointed by Council to carry out the duties and functions of the clerk of the assessment review boards as required under Section 455 of the Municipal Government Act;

- 2.3 “Composite Assessment Review Board” or “CARB” means an assessment review board consisting of one provincial member and two other members who are not provincial members, or subject to Section 454.2(3), one provincial member;
- 2.4 “Council” means the Council of the Town of Manning including Regional Partner Municipalities;
- 2.5 “Local Assessment Review Board” or “LARB” means an assessment review board consisting of three members who are not provincial members, or subject to Section 454.1(2), one member who is not a provincial member;
- 2.6 “Municipal Government Act” or “MGA” means the Municipal Government Act of Alberta, RSA 2000, Chapter M-26, as amended and Regulations passed under that Act;
- 2.7 “Member” means a Member of a Local Assessment Review Board or Composite Assessment Review Board duly appointed by Council in accordance with the Municipal Government Act;
- 2.8 “Member at Large” means a person who does not represent a specific organization and is a resident of the regional partner municipalities;
- 2.9 “Provincial Member” means a person appointed as a provincial member to a composite assessment review board by the Minister under Section 454.2(2) or (3);
- 2.10 “Regional Partner Municipality” means those municipalities listed in Schedule “A” to this bylaw and who enter into an agreement with the Town of Manning to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

SECTION 3 – ASSESSMENT REVIEW BOARDS

- 3.1 The Council hereby establishes the following Assessment Review Boards for the Town of Manning and its’ Regional Partners;
 - 3.1.1 Local Assessment Review Board No. 1 shall consist of one (1) appointed Member at Large;
 - 3.1.2 Local Assessment Review Board No. 2 shall consist of three (3) appointed Members at Large;
 - 3.1.3 Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member; and
 - 3.1.4 Composite Assessment Review Board No. 2 shall consist of two (2) appointed Members at Large and one (1) Provincial Member.
- 3.2 The Assessment Review Boards shall carry out the duties and responsibilities as set out in the Municipal Government Act and the regulations.
- 3.3 The Assessment Review Board hearings shall be held in one or more Regional Partner Municipalities as agreed upon by the regional partners.
- 3.4 The Council of each Regional Partner Municipality shall appoint a person to carry out the duties and functions of clerk of the assessment review boards for their municipality.
- 3.5 The Clerk may select any of the appointed board members to sit on the Local Assessment Review Board and the Composite Assessment Review Board. The members of the Local Assessment Review Board must choose a Chairperson from among themselves. The Chairperson of the Composite Assessment Review Board is the Provincial Member.

SECTION 4 – MEMBERSHIP

- 4.1 The Council of each Regional Partner Municipality shall appoint by resolution one member at large to serve as their member on the regional assessment review board with the Board consisting of five (5) members. Where a Regional Partner Municipality is unable to find a member at large to serve as their member on the regional assessment review board, that member municipality may appoint a Council Member from amongst their Council to serve as their member.
- 4.2 All board members shall be appointed for three year terms except in the initial year where two-thirds are appointed for three year terms and the remaining one-third are appointed for a two year term.
- 4.3 If a vacancy on the Board occurs at any time the Regional Partner Municipality who appointed this person may appoint a new member at large or a Council Member if no member at large is available to fill the vacancy for the remainder of that term.
- 4.4 A member may be re-appointed to the Board at the expiration of his/her term. Regional Partner Municipalities must appoint a member at large if at all possible.
- 4.5 A member may resign from the Board at any time on written notice to the Clerk of the Regional Partner Municipality who appointed this person.
- 4.6 A Regional Partner Municipality may remove a Member at any time on the recommendation of its Clerk.
- 4.7 A Member may not participate unless the person is qualified to do so in accordance with the regulation.
- 4.8 The term of the Agreement is for three years from the execution date. The term may be extended for another three years with mutual agreement by all regional partners.

SECTION 5 – REMUNERATION

- 5.1 All members of the Regional Assessment Review Board will receive the same remuneration and travelling expenses and the Council of each Regional Partner Municipality shall establish these rates by resolution.

SECTION 6 – COMPLAINT FEE

- 6.1 The Council of each Regional Partner Municipality may by resolution prescribe filing fees for the filing of Complaints.

SECTION 7 – REPEAL

- 7.1 This By-law hereby repeals By-law #789/10

SECTION 8 – EFFECTIVE DATE


- 8.1 This By-law shall come into effect the date upon third and final reading.

READ A FIRST TIME this 13th day of July, 2016

READ A SECOND TIME this 13th day of July, 2016

Given unanimous consent for third reading this 13th day of July, 2016

READ A THIRD AND FINAL TIME this 13th day of July, 2016



Sunni-Jeanne Walker
Mayor



Dennis Egyedy
Chief Administrative Officer

SCHEDULE A

Regional Partner Municipalities

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|------------------------------|--------------------------------|
| 1. Town of Grimshaw | Box 377, Grimshaw, AB, TOH 1WO |
| 2. Town of Manning | Box 125, Manning, AB, TOH 2MO |
| 3. MD of Peace No. 135 | Box 34, Berwyn, AB, TOH OEO |
| 4. Village of Berwyn | Box 250, Berwyn, AB, TOH OEO |
| 5. County of Northern Lights | Box 10, Manning, AB, TOH 2MO |