



TOWN OF MANNING, ALBERTA

BY-LAW 906 - 23

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 455 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 (CARB) under the provisions of the Municipal Government Act in respect of assessment complaints made by taxpayers of a Regional Partner Municipality;

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

Except as otherwise provided herein, words in this bylaw shall have the meanings prescribed in Section 453 of the *Municipal Government Act (MGA)*

- 2.1 “Chair” means the member of an assessment review board designated as Chair under Section 454.1 (2), 454.2 (2) or 455 (2) of the *MGA*.
- 2.2 “Clerk” means the person appointed to carry out the duties and functions of the clerk of the assessment review boards in accordance with Section 456 (1) of the *Municipal Government Act*;
- 2.3 “Composite Assessment Review Board” or “CARB” the Composite Assessment Review Board established in accordance with Section 454 (b) of the *MGA*;

- 2.4 "Local Assessment Review Board" or "LARB" means the Local Assessment Review Board established in accordance with Section 454 (a) of the MGA who hears complaints about assessment notices as referred to in Section 460.1 (1) of the MGA;
- 2.5 "Member" means Person appointed as a Member of the Regional Assessment Review Board;
- 2.6 "Minister" means the Minister determined by the Province to be responsible for the MGA;
- 2.7 "Provincial Member" means a person appointed as a provincial member to a composite assessment review board by the Minister; The Provincial Member will be the presiding officer of any CARB proceeding
- 2.8 "Regional Partner Municipality" means a municipality who enters 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 - PARTNER MUNICIPALITIES

- 3.1 The Partner Municipalities, which include; the Town of Grimshaw, the MD of Peace No. 135, the Village of Berwyn and the County of Northern Lights, hereby jointly establish the Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in their municipalities and those of the Partner Municipalities.

SECTION 4 – ESTABLISHMENT OF BOARDS

- 4.1 The following joint Regional Assessment Review Boards are established:
- (a) a LARB that hears complaints referred to in section 460.1(1) of the *MGA*; and
 - (b) a CARB that hears complaints referred to in section 460.1(2) of the *MGA*.

SECTION 5 – APPOINTMENT OF CLERKS

- 5.1 The Council of each regional partner municipality shall jointly appoint by resolution, a person to carry out the duties and functions of Clerk of each of the Assessment Review Boards, as described in section 456 of the *MGA*.
- 5.2 Each of the Clerks appointed by regional partner municipalities must also be appointed by resolution by all of the other regional partner municipalities.

SECTION 6 – APPOINTMENT OF CHAIR

- 6.1 The regional partner municipalities must appoint by joint resolution, one of the members appointed to the LARB, to carry out the duties and responsibilities of Chair of the LARB.
- 6.2 The duties and responsibilities of the Chair of the LARB will be in accordance with section 454.11 and all other relevant sections of the *MGA*.

- 6.3 The regional partner municipalities must prescribe the Chair's term of office, remuneration and expenses if any, payable to the chair as per section 454.1(2) and all other relevant sections of the *MGA*.
- 6.4 The regional partner municipalities must appoint by joint resolution, one person to carry out the duties and responsibilities of Chair of the Composite Assessment Review Board.
- 6.5 The duties and responsibilities of the Chair of the CARB will be in accordance with section 454.21 and all other relevant sections of the *MGA*.
- 6.6 The regional partner municipalities must prescribe the Chair's term of office, remuneration and expenses if any, payable to the chair as per section 454.2(1) and all other relevant sections of the *MGA*.
- 6.7 The same person can be the Chairperson of both the Local Assessment Review Board and the Composite Assessment Review Board.

SECTION 7 – JURISDICTION OF THE BOARD

- 7.1 The Boards shall have jurisdiction to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board under the provisions of the *MGA* in respect of assessment complaints made by taxpayers of a Partner Municipality.

SECTION 8 – APPOINTMENT OF MEMBERS

- 8.1 Each of the regional partner municipalities must appoint at least 1 person as a member of the LARB.
- 8.2 Each of the regional partner municipalities must appoint at least 1 person as a member of the CARB.
- 8.3 The same Members can be appointed to both the LARB and the CARB.
- 8.4 Unless otherwise stated in their appointment letters, all Members are appointed for three year terms.
- 8.5 If a vacancy on either the LARB or CARB occurs at any time the Regional Partner Municipality who appointed this person may appoint a new member to fill the vacancy for the remainder of that term.
- 8.6 If no member is available to fill the vacancy, a Council member of the Regional Partner Municipality may be appointed for the remainder of the term.
- 8.7 A Member may be re-appointed at the expiration of his/her term.
- 8.8 A Member may resign at any time on written notice to Chair to that effect.
- 8.9 A Regional Partner Municipality may remove a Member at any time for cause or misconduct or on the recommendation of the Chair.
- 8.10 Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing.

SECTION 9– REGIONAL ASSESSMENT REVIEW BOARD AGREEMENT

- 9.1 The Regional Partner Municipalities agree to be bound by the terms of the "Agreement for Regional Assessment Review Services" dated August 23, 2022, which is Schedule "A" of this bylaw.
- 9.2 The "Agreement for Regional Assessment Review Services" is valid for a term of five years and may be extended for an additional three years with mutual agreement by all parties.

SECTION 10 – REMUNERATION

10.1 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 11 – COMPLAINT FEE

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

SECTION 12 – REPEAL

12.1 This By-law hereby repeals By-law #836-16

SECTION 13 – EFFECTIVE DATE


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

READ A FIRST TIME this 22 day of March 2023.

READ A SECOND TIME this 22 day of March 2023.

Given unanimous consent for third reading this 22 day of March 2023.

READ A THIRD AND FINAL TIME this 22 day of March 2023.



Robert McLeod
Mayor



April Doll

Chief Administrative Officer