

**BYLAW #2012-777
VILLAGE OF CARBON
IN THE
PROVINCE OF ALBERTA**

BEING A BYLAW OF THE VILLAGE OF CARBON, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN INTERMUNICIPAL ASSESSMENT APPEAL BOARD WITH THE TOWN OF TROCHU, TOWN OF THREE HILLS, VILLAGE OF CARBON, VILLAGE OF LINDEN, VILLAGE OF ACME, VILLAGE OF ELNORA AND KNEEHILL COUNTY.

WHEREAS the Town of Three Hills, Town of Trochu, Village of Carbon, Village of Linden, Village of Acme, Village of Elnora and Kneehill County have agreed to establish an Intermunicipal Assessment Review Board;

NOW THEREFORE the Council of Village of Carbon hereby enacts as follows:

1. This Bylaw shall be called the "Intermunicipal Assessment Review Board Bylaw".

Definitions

2. In this Bylaw, the following definitions shall apply:

"Board" means the Intermunicipal Assessment Review Board.

"Councils" means the Town of Three Hills Council, Town of Trochu Council, Village of Carbon Council, Village of Linden Council, Village of Acme Council, Village of Elnora Council and Kneehill County Council.

Purpose

3. The purpose of the Board is to hear assessment appeals as a result of assessments prepared under the provisions of the Municipal Government Act in the Town of Three Hills, Town of Trochu, Village of Carbon, Village of Linden, Village of Acme, Village of Elnora and Kneehill County.

Establishment of the Appeal Board

4. The Intermunicipal Assessment Review Board is hereby established and shall consist of the following:
 - a. One (1) member from the municipalities of Carbon, Acme, Elnora and Linden and two (2) members from the municipalities of Three Hills, Trochu and Kneehill County. The members shall be appointed by the respective Council to sit on the Board with the member being an elected official or member at large.
 - b. Each member of the Board shall be appointed for a term not to exceed three (3) years but may serve three (3) consecutive terms.
 - c. For hearings dealing with farmland and residential properties of three units or less, the Clerk of the Assessment Review Board with relevant jurisdiction shall find members to sit on the Local Assessment Review Board, and the presiding members shall designate a chairperson.
 - d. For hearings dealing with all non-residential complaints and residential properties of four units or more, the Clerk of the Assessment Review Board, with relevant jurisdiction, shall find two local members to sit on the Composite Assessment Review Board and advise the Municipal Government Board that a representative is required to complete the Board who will also act as the presiding officer.

Duties of the Board

5. The Board shall perform those duties as set forth in Part 11 (Assessment Review Board) of the Municipal Government Act Revised Statutes of Alberta and amendments thereto.

Procedure

6. The Chairperson:
 - a. Will preside over and be responsible for the conduct of the meeting of the Board.
 - b. May set time limits or prescribe the manner in which submissions are to be made, accepting either oral or written submissions or both and setting reasonable time limits for such submissions; and
 - c. Will vote on all matters before the Board.
7. The Board may determine its own procedure and make procedural rules in respect of matters not provided for in this Bylaw.

Quorum

8. A quorum shall consist of a simple majority of two (2) Board members.

Decision

9. Any order or decision by the Board shall be signed by the Chairperson and the Clerk of the Assessment Review Board.

Commencement of Appeal

10. An appeal is to commence by:
 - a. The appellant mailing or delivering a notice in writing to the Clerk of the Board of the municipality where the assessment notice was issued. The appellant must satisfy the requirements as set out in Section 460 of the Municipal Government Act, Revised Statutes of Alberta and amendments thereto.
 - b. Paying the assessment appeal fee as prescribed by the municipality that the appeal is being filed with. This fee will be retained by the municipality where the appeal is filed.

Payment to Board

11. Each member of the Board shall be paid an honorarium by the municipality where the appeal was filed in consideration of reimbursement of regular travel expenses (mileage etc) and meeting fees as per the policy of the municipality where the appeal was filed.

Decision of the Board

12. The Board must give its decision in writing together with reasons for the decision in accordance with Division 2 (Decisions of Assessment Review Boards) of the Municipal Government Act, Revised Statutes of Alberta and amendments thereto.

Records

13. The Board minutes shall be maintained at the municipal offices of the presiding municipality where the appeal was filed and be available for public inspection at all reasonable times.

Clerk of the Assessment Review Board

14. The Clerk of the Board shall be the one appointed by the CAO of the Municipality where the appeal has been filed.
15. The Clerk of the Board shall:
 - a. Notify all members of the Board of the arrangements for the holding of each hearing and other meetings of the Board in accordance with the provisions of the Municipal Government Act applicable to Assessment Review Boards;
 - b. Ensure that the notice period for informing all parties and persons involved is complied with as specified in Section 462 of the Municipal Government Act, Revised Statutes of Alberta and amendments thereto;
 - c. Prepare and maintain a file of written minutes of the business transacted at all meetings of the Board, copies of which shall be regularly filed with the respective Council;
 - d. Issue to all affected parties and persons, notices of the decisions of the Board and reasons thereto;
 - e. Notify the respective Council of the decisions of the Board;
 - f. Carry out such other administrative duties the Board may specify.

Clerk of the Assessment Review Board

Upon this Bylaw coming into force, Bylaw #2010-767 of the Village of Carbon is hereby repealed in its entirety.

READ A FIRST TIME THIS 12th DAY OF April, 2012.

READ A SECOND TIME THIS 12th DAY OF April, 2012.

Motion to proceed to third reading. CARRIED UNANIMOUSLY

READ A THIRD TIME AND PASSED THIS 12th DAY OF April, 2012.


MAYOR


MUNICIPAL ADMINISTRATOR