

TOWN OF LEGAL
BYLAW #03-2019
ASSESSMENT REVIEW BOARD BYLAW

THE TOWN OF LEGAL IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING ASSESSMENT REVIEW BOARDS AND THE APPOINTMENT OF THE CHAIR AND THE CLERK FOR THE ASSESSMENT REVIEW BOARDS.

WHEREAS, Section 454 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, requires that Council must by bylaw establish a Local Assessment Review Board and a Composite Assessment Review Board;

AND WHEREAS, Section 455 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, two or more councils may agree to jointly establish the local assessment review board or the composite assessment review board, or both, to have jurisdiction in their municipalities and;

AND WHEREAS, Section 456 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, requires that Council must appoint a Designated Officer to act as the Clerk of the Assessment Review Boards having jurisdiction in the Municipal District of the Town of Legal;

AND WHEREAS, the Capital Region Assessment Services Commission, a Commission established pursuant to Alberta Regulation 77/96 consisting of a number of municipalities has established joint assessment review boards;

NOW, THEREFORE, the Council for the Town of Legal, duly assembled, enacts as follows:

1.0 PURPOSE

- 1.1 The purpose of this Bylaw is to establish Assessment Review Boards under Part 11 of the *Municipal Government Act*.

2.0 DEFINITIONS

2.1 In this Bylaw:

- (a) “**Assessment Review Board (ARB)**” means the Local Assessment Review Board (LARB) or the Composite Assessment Review Board (CARB);
- (b) “**Clerk**” means in respect of a local assessment review board or composite assessment review board having jurisdiction in one or more municipalities, means the designated officer appointed as clerk under section 456 of the *Municipal Government Act* for the Town of Legal;
- (c) “**Chair**” means a person designated as Chair of the Assessment Review Boards under section 454.1(2), 454.2(2) or 455(2);
- (d) “**Commission**” means Capital Region Assessment Services Commission;
- (e) “**Complaint**” means a complaint under Part 11 of the *Municipal Government Act*;
- (f) “**Composite Assessment Review Board (CARB)**” means a board established pursuant to Section 454 of the *Municipal Government Act* to



hear and make decisions on complaints referred to in Section 460.1(2) of the *Municipal Government Act*;

- (g) “**Council**” means the duly elected council of the Town of Legal;
- (h) “**Local Assessment Review Board (LARB)**” means a board established pursuant to section 454 of the *Municipal Government Act* to hear and make decisions on complaint referred to in section 460.1(1) of the *Municipal Government Act*;
- (i) “**Mayor**” means the Chief Elected Official of the Town of Legal;
- (j) “**Municipal Government Act**” means the *Municipal Government Act*, RSA 2000 c. M-26 and amendments thereto;
- (k) “**Panelist**” means an individual who is accredited by the Alberta Municipal Government Board to hear Assessment Complaints and who will be appointed to the Assessment Review Boards;
- (l) “**Town**” means the Town of Legal;

3.0 BOARDS ESTABLISHED

3.1 Council hereby establishes the following boards:

- 3.1.1 Local Assessment Review Board (LARB); and
- 3.1.2 Composite Assessment Review Board.

4.0 DUTIES

4.1 The Assessment Review Boards shall carry out the duties and responsibilities as set out in the *Municipal Government Act*, RSA 2000 c. M-26 and its regulations.

4.2 Annually, Council shall by resolution appoint:

- 4.2.1 the list of Panelists
- 4.2.2 the name of the Chair for the LARB and CARB provided to the Town by the Commission;
- 4.2.3 the name of the Clerk provided to the Town by the Commission.

4.3 All Panelists and Clerks may be removed by resolution of Council where, in the opinion of Council, removal is warranted.

5.0 FEES

5.1 Compensation payable to the Commission for its performance include annual fees, hearing fees, panelist fees, travel and subsistence fees and assessment clerk fees which will be outlined in a memorandum of Agreement between the Commission and the Town.

5.2 Filing an Assessment Complaint:

- 5.2.1 Upon receipt of an assessment complaint, the Town shall provide to the Commission a completed Assessment Review Complaint form and supporting documentation in a timely manner.
- 5.2.2 A complaint filed must be accompanied by the appropriate fee as established by Council as per Schedule “A” of this Bylaw to the municipality. If the fee is not provided, the complaint is invalid.
- 5.2.3 If the Assessment Review Boards make a decision in favour of the complainant, the filing fees paid by the complainant must be refunded.

6.0 EFFECTIVENESS

6.1 If any portion of this bylaw is declared invalid by the court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.

6.2 That Bylaw #07-2010 is hereby repealed.

6.3 This Bylaw shall take effect on the date of third and final reading.

READ a first time this 6 day of May 2019, A.D.

Paul J. Slay
Mayor

Robert P. [Signature]
Chief Administrative Officer

READ a second time this 6 day of May 2019, A.D.

Paul J. Slay
Mayor

Robert P. [Signature]
Chief Administrative Officer

READ a third time and finally passed this 6 day of May 2019, A.D.

Paul J. Slay
Mayor

Robert P. [Signature]
Chief Administrative Officer

Schedule "A"

The fees payable to the Town of Legal shall be as follows:

Assessment Review Board

Residential 3 or fewer and farmland	\$50.00
Residential 4 or more dwellings:	Variable
Assessed value up to \$249,999.00	\$200.00
Assessed value \$250,000.00 to \$499,999.00	\$400.00
Assessed value that exceeds \$500,000.00	\$650.00
Non-residential:	Variable
Assessed value up to \$249,999.00	\$200.00
Assessed value \$250,000.00 to \$499,999.00	\$400.00
Assessed value that exceeds \$500,000.00	\$650.00

If the Assessment Review Board makes a decision in favour of the complainant, the fees paid by the complainant shall be refunded. Appeals, which are withdrawn 14 days prior to the sitting of the Assessment Review Board, will be refunded. In cases of non-appearance by the complainant, the Board may proceed to hear the case. (*MGA s.481*)