

TOWN OF WEMBLEY
BY-LAW # 692

A By-law of the Town of Wembley in the Province of Alberta, for the purpose of establishing Assessment Review Boards

WHEREAS Pursuant to Section 454 of the Municipal Government Act, RSA 2000 Chapter M-26 and amendment thereto, Council may establish one or more Local Assessment Review Boards and one or more Composite Assessment Review Boards;

WHEREAS Pursuant to Section 454.1 (2) of the Municipal Government Act, a Council may establish a Local Assessment Review Board consisting of only one member;

WHEREAS, Pursuant to Section 451.4 (3) of the Municipal Government Act, a Council may establish a Composite Review Board consisting of only one member;

WHEREAS, Pursuant to Sections 454.1 and 454.2 of the Municipal Government Act, a Council must appoint three (3) persons as members to each Local Assessment Review Board and two (2) members to each Composite Assessment Review Board;

WHEREAS, Pursuant to Section 454.1 (2) of the Municipal Government Act, a Council may appoint a person to each one member Local Assessment Review Board;

WHEREAS, Pursuant to Section 484 (1) of the Municipal Government Act, a Council may set out the fees payable by persons wishing to make complaints;

WHEREAS, Pursuant to Section 455 on the Municipal Government Act, a Council must appoint a designated officer to act as Clerk of the Assessment Review Boards;

NOW THEREFORE, the Council of the Town of Wembley, in the Province of Alberta, duly assembled, hereby enacts as follows:

Title:

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

Definitions:

2. In this Bylaw, except as otherwise provided, words shall have the meaning as prescribed in the Municipal Government Act:
 - a) *“Authorized Substitute”* means a Local Member who is authorized for appointment to fill a vacancy;
 - b) *“Composite Assessment Review Board”* mean 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 for a non-residential property with four (4) or more dwelling units;
 - c) *“Council”* means the Council of the Town of Wembley;
 - d) *“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 a tax notice.
 - e) *“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 Members of the Public at Large;
 - f) *“Vacancy”* means an absence from hearing due to:
 - i) A pecuniary interest in the subject matter of the complaint;
 - ii) A direct or indirect interest in the complaint;
 - iii) A Local Member’s ill health or other emergency; or
 - iv) A Local Member’s unavailability.

Assessment Review Boards:

3. Council hereby established the following Assessment Review Boards for the Town of Wembley:
 - a) Local Assessment Review Board No. 1 shall consist of three (3) Local Members;
 - b) Local Assessment Review Board No. 2 shall consist of three (3) Local Member;
 - c) Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member and two (2) Local Members;
 - d) Composite Assessment Review Board No. 2 shall consist of one (1) Provincial Member and two (2) Local Members;
 - e) Single Member Assessment Review Board No. 1 shall consist of one (1) Local Member;
 - f) Single Member Assessment Review Board No. 2 shall consist of one (1) Local Member; and
 - g) Single Member Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member appointed by the Minister responsible for administration of the Municipal Government Act.

Membership and Vacancies:

4. Local Members shall be appointed from time to time by resolution of Council.
5. A Local Assessment Review Board may include any combination of Councillors and residents of the Town of Wembley and the County of Grande Prairie No. 1.
6. The two (2) Local Members appointed to a Composite Assessment Review Board may be comprised of any combination of Councillors and residents of the Town of Wembley and the County of Grande Prairie No. 1.
7. A Local Member is an authorized Substitute for any other Local Member due to a vacancy at any Local Assessment Review Board or Composite Assessment Review Board hearing.

Designated Official (Clerk):

8. The designated officer pursuant to Section 455 of the Municipal Government Act shall be the Chief Administrative Officer or the Administrative Assistant for the Town of Wembley.

Legal Counsel:

9. Should legal counsel be sought to advise the panel, they shall provide impartial and objective advice and shall not be the legal counsel or a member of the legal firm which provided advice to the municipality.

Assessment Complaint Fees:

10. The fees payable pursuant to Section 484 (1) of the Municipal Government Act shall be fifty (\$50.00) dollars.
11. In the event that the appellant is successful in the appeal and the assessment is reduced, the appellant shall be refunded the appropriate fee as stated in 10 above.

Severability:

12. 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.

READ A FIRST, SECOND, AND BY UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT, A THIRD READING THIS 27TH DAY OF MAY, A.D. 2013.

(SIGNED)

Mayor Chris Turnmire

(SIGNED)

CAO Lori Parker