

CITY OF GRANDE PRAIRIE

BYLAW C-1461

A Bylaw to Establish Assessment Review Boards

WHEREAS section 454 of the *Municipal Government Act RSA 2000, chapter M-26* as amended, requires that the City of Grande Prairie establish by bylaw assessment review boards to deal with complaints made about assessments.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw shall be called the “Assessment Review Board” Bylaw.

DEFINITIONS

2. In this Bylaw the following words and phrases mean:

“**Act**” means the Municipal Government Act (Alberta) and regulations thereunder.

“**Authorized Substitute**” means a Member who is authorized by appointment to fill a vacancy.

“**Board**” means the Assessment Review Boards established by this Bylaw.

“**Chair**” means a person appointed by Council to be Chair of a Local Assessment Review Board.

“**City**” means the municipal corporation of the City of Grande Prairie.

“**Clerk**” means the Designated Officer appointed by Council to act as the Clerk of the Assessment Review Boards.

“**Composite 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 Act that is shown on an assessment notice for a non-residential property or residential property with four (4) or more dwelling units.

“**Council**” means the Municipal Council of the City of Grande Prairie.

“**Designated Officer**” means a Designated Officer as defined by the Act.

“**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 Act that is shown on an assessment notice or tax notice other than a property tax notice for residential properties with three (3) or less dwelling units, or farmland.

“**Member**” means a member appointed by Council to a Board.

“**Presiding Officer**” means the Member presiding over a panel of a Local Assessment Review Board or, in the case of a Composite Assessment Review Board, the Provincial Member presiding over a panel of that board.

“**Provincial Member**” means a member appointed by the Minister to sit on a Composite Assessment Review Board established by this Bylaw.

“**Vacancy**” means an absence from a hearing due to a:

- a) pecuniary interest in the subject matter of the complaint;
- b) direct or indirect interest in the complaint; or
- c) Member’s ill health, an emergency, or other circumstance.

ESTABLISHMENT AND PANELS

3. Council hereby establishes Assessment Review Boards.
4. The Boards shall sit in panels to hear complaints as the nature of the complaint may permit or require, and panels shall be composed of:
 - a) three (3) Members when the Board is acting as a Local Assessment Review Board;
 - b) one (1) Provincial Member and two (2) Members when the Board is acting as a Composite Assessment Review Board;
 - c) one (1) Member when the Board is acting as a one-member Local Assessment Review Board, subject to the conditions prescribed by the Act; or
 - d) one (1) Provincial Member appointed by the Minister responsible for the administration of the Act, when the Board is acting as a one-member Composite Assessment Review Board, subject to the conditions prescribed by the Act.
5. The quorum for a panel acting as a Local Assessment Review Board are two (2) Members.
6. The quorum for a panel acting as a Composite Assessment Review Board are two (2) members, one (1) of which must be a Provincial Member.

CHAIR

7. The Chair of the Board will be appointed annually by resolution of Council from the members appointed to the Board.
8. The Chair may delegate to any other member appointed to the Board any of the powers, duties, or functions of the Chair.
9. When a hearing is held in respect of a Local Assessment Review Board complaint the Chair must convene a panel of three (3) of the Board’s members to hear the complaint.
10. When a hearing is held in respect of a Composite Assessment Review Board complaint the Chair must convene a panel of two (2) of the Board’s members to hear the complaint.

PRESIDING OFFICER

11. The Members of the panel acting as a Local Assessment Review Board will select a Presiding Officer from among themselves.
12. The Provincial Member shall be the Presiding Officer for a panel acting as a Composite Assessment Review Board.

MEMBERSHIP

13. Members shall be appointed from time to time by resolution of Council for a term of three (3) years.
14. A Member is an Authorized Substitute for any other Member due to a Vacancy at any Local or Composite Assessment Review Board hearing.
15. A Member may be re-appointed to the Board at the expiration of their term.
16. A Member may resign from the Board at any time by submitting a letter to the Clerk.
17. Members must successfully complete training, as prescribed by the Minister, prior to participating in a Board hearing.
18. The decisions of the Board and hearings conducted by the Board shall be in accordance with provisions of the Act.

CLERK

19. The duties and responsibilities of the Clerk shall be in accordance with the provisions of the Act.
20. The Clerk may appoint an Acting Clerk to perform the duties and responsibilities of the Clerk in the absence of the Clerk.
21. The Clerk and any Acting Clerk must successfully complete training, as prescribed by the Minister, prior to commencing the duties and responsibilities as the Clerk.

FEES

22. The fee for filing complaints are in accordance with the [Fees, Rates and Charges Bylaw C-1395, Schedule "A"](#).
23. The fee will be refunded if the Assessment Review Board makes a decision in favour of the complainant.
24. If the Board makes a decision that is not in favour of the complainant and on judicial review, the court of King's Bench makes a decision in favour of the complainant, the fees paid by the complainant under Section 22 of this Bylaw must be refunded.

25. The refund referred to in Sections 23 and 24 of this Bylaw shall be issued within forty-five (45) days from the final decision being issued in writing.

REMUNERATION

26. Remuneration for Assessment Review Board members participating in hearings shall be:

- a) Presiding Officer
 - i) \$219 for up to four (4) hours;
 - ii) \$383 for four (4) hours up to eight (8) hours; or
 - iii) \$601 for over eight (8) hours.

- b) Member
 - i) \$164 for up to four (4) hours;
 - ii) \$290 for four (4) hours up to eight (8) hours; or
 - iii) \$427 for over eight (8) hours.

27. Reimbursement for costs incurred to attend the mandatory Assessment Review Board training shall be at the rates in effect under [Council and Employee Reimbursement Policy 308](#).

28. The Board may make rules as are necessary for the conduct of its business and its hearings that are consistent with the [Procedure Bylaw C-1299](#) and the Act.

29. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

REPEAL

30. Bylaw C-1249 and all amendments are hereby repealed.

EFFECTIVE DATE

31. This Bylaw shall take effect on the date it is passed.

READ a first time this 17 day of April , 2023.

READ a second time this 17 day of April , 2023.

READ a third time and finally passed this 17 day of April , 2023.

“J. Clayton” (signed)

 Mayor

“L. Hanson” (signed)

 City Clerk