

**BYLAW 2014-16  
PARKLAND COUNTY**

**BEING A BYLAW OF PARKLAND COUNTY FOR THE PURPOSE OF ESTABLISHING  
ASSESSMENT REVIEW BOARDS UNDER PART 11 OF THE MUNICIPAL GOVERNMENT ACT**

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**WHEREAS** pursuant to Part 11 of the Municipal Government Act, S.A. 2000, c. M-26 Council may establish one or more Assessment Review Boards;

**NOW THEREFORE** the Council of Parkland County enacts:

**PART I – DEFINITIONS AND INTERPRETATION**

- 1) In this Bylaw, unless the context otherwise requires:
  - a) **“Authorized Substitute”** means an individual who is authorized for appointment to fill a Vacancy;
  - b) **“Board”** means an Assessment Review Board;
  - c) **“Manager”** means a representative from the Capital Region Assessment Commission who has been appointed as a Designated Officer to administer the Assessment Review Boards or the Designated Officer’s delegate;
  - d) **“Chair”** means a person chosen as chair of an Assessment Review Board under section 9(a) of this Bylaw;
  - e) **“Complaint”** means a complaint under Part 11 of the Municipal Government Act;
  - f) **“Council”** means the council of Parkland County;
  - g) **“Mayor”** means the chief elected official of Parkland County;
  - h) **“Member”** means a member of a Board appointed under subsection 5 of this Bylaw, and includes a Chair and a Presiding Officer, but does not include an Authorized Substitute, unless the Authorized Substitute is filling a Vacancy;
  - i) **“Municipal Government Act”** means the Municipal Government Act, S.A. 2000, c.M-26
  - j) **“Panel”** means a panel of one member established under subsection 3(a) of this Bylaw;
  - k) **“Presiding Officer”** means a member chosen by the members of each Board to be the Presiding Officer at one or more hearings under Part 11 of the Municipal Government Act;
  - l) **“Vacancy”** means an absence from a hearing due to
    - (i) Direct or indirect interest in a matter before the Assessment Review Boards, or
    - (ii) An inability or refusal by a member to continue to fulfill their obligation as a member of a Board.
- 2) The headings in this Bylaw are for reference purposes only.

**PART II – ASSESSMENT REVIEW BOARDS**

- 3) (a) Single person Boards are established.  
(b) Three person Boards are established.
- 4) The Boards and Panels will hear and decide Complaints and related matters in accordance to Part 11 of the Municipal Government Act , S.A. 2000, c.M-26
- 5) (a) Subject to section 6, the Manager in consultation with the municipality, may appoint up to three Members from the list of individuals adopted by Council resolution to each Board.  
(b) A Member is an Authorized Substitute for any Board.  
(c) Council may by resolution appoint other individuals as Authorized Substitutes.
- 6) (a) Every Member or Authorized Substitute is appointed to sit as a Panel to hear and decide any matter required or permitted to be heard by a Panel under relevant legislation.  
(b) The Manager may decide which of the matters described in section 6(a) may be heard and decided by a Panel, and which must be decided by a Board.  
(c) The Manager may decide which of the Members and Authorized Substitutes, if any, may sit as a Panel, and the categories of matters that may be heard and decided by a particular Panel.
- 7) (a) Council may by resolution specify the dates of the beginning and end of the term of office of a Member or an Authorized Substitute.  
(b) Council may by resolution appoint a Member or an Authorized Substitute for more than one term.

- 8) (a) The Manager may appoint an Authorized Substitute from those listed in Schedule A to fill a Vacancy.  
(b) If no Authorized Substitute is available to fill a Vacancy, the Mayor may appoint an individual as an acting member of the Board.
- 9) (a) The members will select one member from those assigned to hear a complaint to serve as the Chair.  
(b) The Chair shall be the Presiding Officer for the hearing.
- 10) The Presiding Officer will:
  - (a) ensure that hearings are conducted fairly;
  - (b) prepare and sign written reasons for any hearings over which the Presiding Officer presides;
  - (c) ensure that any dissenting opinions are prepared and signed by the member dissenting; and,
  - (d) review and, whenever appropriate, approve any other documents the Manager may prescribe from time to time for any hearings over which the Presiding Officer presides.
- 11) The Manager may:
  - (a) act as Chair at general meetings of the Members and Authorized Substitutes;
  - (b) act as the primary liaison between the Members and Authorized Substitutes, the Boards, Panels and Council;
  - (c) prepare a report for Council on all Boards, which may include:
    - (i) an evaluation of each Member and Authorized Substitute who wishes to be re-appointed,
    - (ii) recommendations to Council for reappointment;
    - (iii) an evaluation of the skills, knowledge and experience required by applicants for membership, and
    - (iv) any other information or opinions requested or required by Council or a Committee of Council from time to time.
  - (d) monitor hearings and recommend to the Members measures to improve the fairness and efficiency of hearings; and
  - (e) perform any other Assessment Review Board duties that Council may prescribe from time to time.
- 12) The Manager must set the level of remuneration and rate of reimbursement for expenses to be paid to Members, Panels, and Authorized Substitutes.

### **PART III – FEES**

- 13) (a) Council by resolution will set fees that must be paid to the municipality when a Complaint is filed.  
(b) The fee must be paid.
- 14) (a) The municipality must refund a fee paid under section 13 as required by the Municipal Government Act.  
(b) Refund a fee paid under section 13 to a complainant who withdraws a Complaint before the Manager has scheduled a hearing of the Complaint.
- 15) A person who wishes to obtain copies of a document or an audio tape relating to Complaints must pay fees in accordance with general policies established by Council from time to time.

### **PART IV – GENERAL**

- 16) An independent solicitor may be appointed by the manager to advise the Boards about assessment review and related matters.
- 17) Bylaws 37-2009 and 38-2009 and amendments thereto are hereby repealed.
- 18) If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
- 19) The headings in this Bylaw are for reference purposes only and do not form part of this bylaw.
- 20) Legislative references, such as from the Municipal Government Act (s.154 MGA 2000), do not form part of this bylaw.
- 21) This bylaw shall take full force and effect upon passage of third and final reading upon signing in accordance with Section 213, Municipal Government Act, Revised Statutes of Alberta 2000.

**PART V - SCHEDULE A**

22) Schedule A is attached to and forming part of this bylaw.


**READ A FIRST TIME** this 13<sup>th</sup> day of **May, 2014**. A.D.

**READ A SECOND TIME** this 13<sup>th</sup> day of **May, 2014**. A.D.

**READ A THIRD TIME AND FINAL TIME** this 13<sup>th</sup> day of **May, 2014**. A.D.



Mayor



Manager, Legislative and Administrative Services

**SCHEDULE “A”  
Bylaw No. 2014-16**

**List of Individuals qualified to sit as ARB Members for 2014**

Atkinson,	Frank
Chartrand,	Darlene
Hennig,	Stew
Knowles,	Richard
Ralph,	Ray
Thain,	Trevor
Twerdoclib,	Robert

Council Members trained ARB members.