Consolidated Version

Of

the Assessment Review Board Bylaw

(being Bylaw No. 9/2020 of the City of St. Albert, as amended by Bylaw 13/2023 and Bylaw 20/2024 consolidated and printed under the authority of the Chief Administrative Officer of the City of St. Albert)

This is certified to be a true copy of consolidated Bylaw No. 9/2020 of the City of St. Albert.

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Marta Caufield
Director of Legal and Legislative Services
Chief Legislative Officer

ASSESSMENT REVIEW BOARD

Bylaw 15/2020

	NUMBER	1ST READING	2ND READING	3RD READING
PASSED	25/78 Court of Revision	July 4/78	July 4/78	July 4/78
Amendment #1	3/79	February 5/79	February 5/79	February 5/79
#2	26/85	November 4/85	November 4/85	November 18/85
PASSED	22/95 (Repealed 25/78)	September 5/95	September 5/95	September 5/95
Amendment #1	23/2003	July 7/03	July 7/03	July 7/03
PASSED	7/2010 (Repealed 22/95)	February 16, 2010	February 16, 2010	February 16, 2010
#1	25/2014	Aug. 25/14	Aug. 25/14	Aug. 25/14
	35/2018 (Repealed 7/2010)	September 17, 2018	September 17, 2018	September 17, 2018
NEW	BYLAW 15/2020 (Repealed 35/2018)	April 20, 2020	April 20, 2020	April 20, 2020
#1	Bylaw 20/2024	Oct 1, 2024	Oct 1, 2024	Oct 4, 2024

The text shown in parentheses in various locations throughout this document identifies the corresponding amending bylaw which authorized the change. For example (BL 5/2019) refers to Bylaw No. 5/2019.

CITY OF ST. ALBERT

BYLAW 15/2020

ASSESSMENT REVIEW BOARD BYLAW

A BYLAW OF THE CITY OF ST. ALBERT TO ESTABLISH ASSESSMENT REVIEW BOARDS

WHEREAS Part 11 of the Municipal Government Act provides for the establishment of assessment review boards;

NOW THEREFORE the City of St. Albert in council assembled enacts as follows:

TITLE

1. This Bylaw may be cited as the “Assessment Review Boards Bylaw” or the “ARB Bylaw”.

DEFINITIONS

2. In this Bylaw, words have the meaning ascribed to them in the Act and the Regulation, and in addition:

    a. “Act” means the Municipal Government Act;

    b. “Board” means either a Composite Assessment Review Board or a Local Assessment Review Board;

    c. “Chair” means a person appointed by Council to be Chair of a Board;

    d. “Chief Administrative Officer” means the chief administrative officer of the City or that person’s delegate;

    e. “City” means the municipal corporation of the City of St. Albert;

    f. “City Member” means a person appointed to a Board by Council;

g. “Clerk” means the designated officer appointed by Council or under delegation from Council as the Clerk of the Boards or that person’s delegate;
h. “Complaint” means a complaint against property assessment filed in accordance with the Act and the Regulation;

i. “Complaint Adjudication Process” means all aspects of dealing with a Complaint including procedural and scheduling issues, preliminary hearings on points of law or jurisdiction, review of materials submitted by litigants prior to a merit hearing, attending and hearing evidence at the merit hearing, considering and evaluating evidence, and preparing a written decision;

j. “Composite Assessment Review Board” means the City’s composite assessment review board established under section 3 of this Bylaw;

k. “Council” means the City’s elected municipal council;

l. “Councillor” means a member of the Council including the Mayor;

m. “Local Assessment Review Board” means the City’s local assessment review board established under section 3 of this Bylaw;

n. “Member” includes a City Member and a Provincial Member;

o. “Presiding Officer” means the City 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;

p. “Provincial Member” means an individual appointed to a Composite Assessment Review Board by the Minister; and

q. “Regulation” means the Matters Relating to Assessment Complaints Regulation Alta. Reg. 201/2017.

PART II – ESTABLISHMENT OF BOARDS AND MEMBER APPOINTMENTS

3. The following Boards are established:

    a. the City of St. Albert Local Assessment Review Board; and

    b. the City of St. Albert Composite Assessment Review Board.

4. Councillors, City employees and tax agents are not eligible to be City Members of a Board.

Local Assessment Review Board Appointments

5. (1) Council will by resolution appoint up to 8 individuals as City Members of the Local Assessment Review Board.

   (2) If a City Member has had their appointment extended by operation of section 10 of this Bylaw, Council may still appoint up to 6 individuals as City Members of the Local Assessment Review Board and the extension of a City Member's term under section 10 of this Bylaw is not counted as an appointment of that City Member under section 5(1) of this Bylaw.

   (3) City Members of the Local Assessment Review Board will be appointed for a term of one to four years, to a maximum of eight consecutive years of service.

   (4) Council will by resolution designate one City Member of the Local Assessment Review Board as Chair for up to a two-year term.

Composite Assessment Review Board Appointments

6. (1) Council will by resolution appoint up to 8 individuals as City Members of the Composite Assessment Review Board.

   (2) If a City Member has had their appointment extended under section 10 of this Bylaw, Council may still appoint up to 6 individuals as City Members of the Composite Assessment Review Board and the extension of a City Member's term under section 10 of this Bylaw is not counted as an appointment of that City Member under section 6(1).

   (3) City Members of the Composite Assessment Review Board will be appointed for a term of one to four years, to a maximum of eight consecutive years of service.

   (4) Deleted **(BL 20/2024)**

Role of the Chair

7. The Chair of a Board may sit on any panel of that Board.

8. In consultation with the Clerk and in compliance with the Act and the Regulation the Chair of a Board will select either one, two or three City Members to constitute a panel or form part of a panel of the Board to conduct all or a part of the Complaint Adjudication Process for a Complaint.

Remuneration

9. (1) Remuneration for Members of the Boards will be paid for Members' participation in the Complaint Adjudication Process and for any mandatory training associated with performing their duties as Members, including time spent for any travel required outside St. Albert, at the rates set out in Schedule "A" attached to and forming part of this Bylaw.

   (2) Members of the Boards will be reimbursed for expenses incurred for any travel required outside St. Albert in the course of fulfilling their duties as Members, at the same rates that are paid to City employees for travel and associated expenses.

Extension of Term

10. If a City Member is appointed to a panel of a Board that has begun to deal with a Complaint and if the Member's term is scheduled to expire before the panel has finished dealing with the Complaint, then the Member's term is extended automatically and without further resolution of Council until the panel has completed its deliberation, issued its decision, and is functus officio with respect to the matter.

Resignation and Removal

11. (1) A Member may resign by providing written notice, signed by the Member, to the Clerk.

    (2) The resignation of a Member is effective on the date it is received by the Clerk, even if a later effective date of resignation is set out in the letter of resignation.

12. (1) Council may revoke the appointment of a City Member only if Council forms the opinion on reasonable grounds that the Member has knowingly acted in a manner that constitutes a serious contravention of this Bylaw, the Act or a Regulation, or has otherwise engaged in conduct that constitutes a dereliction of duty or risks bringing the Board or the City into disrepute.

    (2) Without limiting the generality of subsection 12(1) Council may not revoke the appointment of a City Member by reason only of the content of any Board decision in which the Member concurred.

PART III– CLERK OF THE ASSESSMENT REVIEW BOARDS

Establishment

13. There is established a designated officer position to be called Clerk of the Assessment Review Boards.

Appointment

14. (1) Council, or the Chief Administrative Officer if so delegated by Council, will appoint a City employee to the position of Clerk at no remuneration beyond what the person otherwise receives for being a City employee.

    (2) The Clerk must not be an employee of the City's Finance & Assessment - Department.

Duties

15. In addition to those duties prescribed in Part 11 of the Act and the Regulation, and the authority and duties set out in Section 19 of this Bylaw, the Clerk's duties include:

    a. making arrangements for the retention of records of all decisions of the Boards for a period of at least five years;

    b. issuing refunds of Complaint fees in accordance with the provisions of the Act and the Regulation;

    c. at the direction of a Board, retaining and instructing independent legal counsel for the Board;

    d. consulting with Members on matters affecting the Boards; and

    e. overseeing administrative and budgeting matters for the Boards, and reporting on those matters as required.

Delegation of Authority

16. The Clerk may delegate some or all of the Clerk's duties and functions to City employees who are not employees of the City's Finance and Assessment Department and who have successfully completed the prescribed training.

PART IV – HEARING PROCEDURES AND MEMBER CONDUCT

Presiding Officers

17. The Presiding Officer will chair a panel of the Board at a hearing and will:

    a. oversee the Clerk in making and keeping a record of the hearing and preparing decisions on Complaints dealt with by the Board; and

    b. sign orders, decisions and other documents issued by the Board.

Board Procedures and Conduct of Board Members

18. The provisions of the Procedure Bylaw do not apply to the Boards.

19. (1) The Clerk may prescribe procedures and directives with respect to Board administration matters that are not inconsistent with this Bylaw, the Act or the Regulation.

    (2) The Clerk shall cause procedures and directives established under subsection 19(1) to be published in a manner readily accessible to the public.

20. Members must when carrying out their duties conduct themselves in a professional manner showing respect and courtesy to each other, to City employees and to members of the public, and must comply with the procedures and directives prescribed by the Clerk.

PART V – GENERAL

Complaint Fees

21. The fees payable to file a Complaint are as set out in the Master Rates Bylaw as amended from time to time.

Severability

22. Every provision of this Bylaw is independent of all other provisions and it is the intention of the Council that 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

23. Bylaw No. 35/2018 is repealed.

Effective Date

24. This Bylaw comes into effect on the day it is passed.

SCHEDULE "A"

CITY MEMBER REMUNERATION AND TRAINING PAY

Time	Presiding Officer	Member	Training
Up to 4 hours	$219	$164	$200
4 – 8 hours	$383	$290	
Over 8 hours	$601	$427	