

BYLAW NO. 34-2023

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO ESTABLISH ASSESSMENT REVIEW BOARDS

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with the peace, order and good government of the City.

AND WHEREAS *The Lloydminster Charter* provides authority to City Council to pass bylaws for municipal purposes;

AND WHEREAS *The Lloydminster Charter* and the *Municipal Government Act, RSA 2000, c. M-26*, as amended, require that Council establish Assessment Review Boards to deal with assessment complaints, and;

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in *The Lloydminster Charter*, enacts as follows:

1. SHORT TITLE

1.1. This Bylaw shall be cited as the Assessment Review Boards Bylaw.

2. DEFINITIONS

2.1. The definitions listed in Schedule "A" attached to this Bylaw shall apply, unless context otherwise requires.

3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER

3.1. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.

3.2. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may carry out anything required for the administration of this Bylaw, including but not limited to the following:

3.2.1. delegate any powers, duties or functions under this Bylaw to an employee of the City;

3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw;

3.2.3. establish any forms required for the administration of this Bylaw.



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4. ESTABLISHMENT OF BOARDS

- 4.1. Council hereby establishes the following Assessment Review Boards:
 - 4.1.1. Local Assessment Review Board; and
 - 4.1.2. Composite Assessment Review Board.

5. TERM OF OFFICE

- 5.1. Each Appeal Board Member shall be appointed by resolution of Council for a specified term not exceeding three (3) years.
- 5.2. Council shall appoint at least three Appeal Board Members, at least two (2) of whom must not be members of Council.
- 5.3. Notwithstanding Section 5.1, an Appeal Board Member may be reappointed following the expiration of their term of appointment.
- 5.4. A vacancy on the Appeal Board may be filled by resolution of Council and the resolution shall specify the term of the appointment.
- 5.5. Council may, by resolution, terminate the appointment of an Appeal Board Member if the member:
 - 5.5.1. violates the rules of conduct established for conduct by Appeal Board Members;
 - 5.5.2. conducts themselves in a manner the Council finds inappropriate;
 - 5.5.3. uses information gained through the position to obtain a pecuniary benefit in respect to any matter in which he has pecuniary interest; or
 - 5.5.4. is absent from three (3) or more consecutive Appeal Board Hearings.
- 5.6. An Appeal Board Member may resign at any time by sending a written notice to Council.
- 5.7. Notwithstanding any other provisions in this Bylaw, if a Appeal Board Member's term expires before a decision is issued on a complaint heard by the Appeal Board Member, the Appeal Board Member remains a duly appointed Appeal Board Member for the purpose of completing the complaint Hearing and issuing a decision in that complaint.

6. APPOINTMENT OF CHAIR

- 6.1. The appointment of a chair and vice-chair of the Local Assessment Review Board shall be decided by the Appeal Board Members during an annual meeting of the Appeal Board at the beginning of each calendar year.
- 6.2. The chair of the Composite Assessment Review Board shall be the Provincial Member.



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6.3. The chair:

- 6.3.1. shall preside at Appeal Board Hearings and organizational meetings when present and the vice-chair shall chair such Hearings or organizational meetings when the chair is not present; and
- 6.3.2. shall be entitled to limit oral submissions at a Hearing if such submissions are repetitious or irrelevant.

7. APPOINTMENT OF CLERK

7.1. Each Clerk shall be appointed by resolution of Council.

8. FEES AND REMUNERATION

8.1. Each Appeal Board Member shall be paid remuneration as follows:

0 – 4 Hour Hearing	\$150
4 – 8 Hour Hearing	\$250
8+ Hour Hearing	\$400
Organizational Meeting	\$150

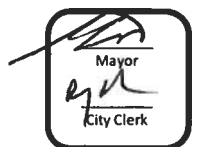
8.2. An Appeal Board Member who chairs a meeting or hearing shall be paid remuneration as follows:

0 – 4 Hour Hearing	\$200
4 – 8 Hour Hearing	\$300
8+ Hour Hearing	\$450
Organizational Meeting	\$200

8.3. Appeal Board Members shall be paid remuneration for training requirements as set forth in item 8.1.

9. NUMBER AND GENDER REFERENCES

9.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.



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10. SEVERABILITY

10.1. 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.

This Bylaw shall come into force and effect upon the final passing thereof.

The following bylaws and all amendments thereto are hereby repealed:

- Bylaw No. 1-2015 – Assessment Review Boards Bylaw

INTRODUCED AND READ a first time this 20th day of November, 2023, A.D.

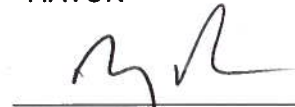
READ a second time this 20th day of November, 2023, A.D.

READ a third time this 20th day of November, 2023, A.D.

November 21, 2023
Date Signed


MAYOR

November 21, 2023
Date Signed


CITY CLERK



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SCHEDULE "A"

Definitions

Appeal Board	The Assessment Review Board.
Appeal Board Member	A Council member or member of the public who has received and successfully completed the training required by the <i>Municipal Government Act, RSA 2000, c. M-26</i> , as amended to hear appeals for the Assessment Review Board and is appointed by Council to sit on the board for a set term.
Composite Assessment Review Board	A board established to hear complaints referred to in section 460.1(2) of the <i>Municipal Government Act, RSA 2000, c. M-26</i> , as amended.
Charter	Refers to <i>The Lloydminster Charter</i> .
City	The City of Lloydminster and the area contained within the corporate boundaries of the City.
City Manager	The Commissioner of the City of Lloydminster as appointed by Council or designate.
Clerk	The Council appointed position of Clerk to the Assessment Review Board who has received and successfully completed the training required by the <i>Municipal Government Act, RSA 2000, c. M-26</i> , as amended.
Council	The Municipal Council of the City of Lloydminster.
Hearing	A meeting of the Assessment Review Board to hear an appeal.
Local Assessment Review Board	A board established to hear complaints referred to in section 460.1(1) of the <i>Municipal Government Act, RSA 2000, c. M-26</i> , as amended.
Provincial Member	A Appeal Board Member appointed by the Minister responsible for the <i>Municipal Government Act, RSA 2000, c. M-26</i> , as amended, to sit on a Composite Assessment Review Board.



