



TOWN OF COCHRANE

BYLAW 20/2024

Being a bylaw of the Town of Cochrane, in the Province of Alberta, to establish Assessment Review Boards.

WHEREAS the Municipal Government Act, S.A. 2000, Chapter M-26, as amended, section 454 of the Act requires the establishment of a Local Assessment Review Board and Composite Assessment Review Board;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF COCHRANE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. TITLE

1.1 This Bylaw may be cited as the "Assessment Review Board Bylaw".

2. DEFINITIONS

2.1 In this Bylaw:

- (a) "Act" means the Municipal Government Act, RSA 2000, c. M-26, as amended;
- (b) "Assessment Review Board" means the Local Assessment Review Board and Composite Assessment Review Board as established under this Bylaw;
- (c) "Clerk" means the individual(s) appointed as the Clerk of the Board in accordance with the Act, any applicable Regulations, and this Bylaw;
- (d) "Complainant" means any assessed person or taxpayer who files a complaint and is a party to the proceedings.
- (e) "Council" means the Mayor and Councillors of the Town of Cochrane;
- (f) "Member" means a Member of an Assessment Review Board duly appointed by Council or the Province, in accordance with the Municipal Government Act;
- (g) "Regional Pool" means a group of Assessment Review Board members duly appointed by the Councils of municipalities participating in a joint regional agreement.

3. ESTABLISHMENT

3.1 Council hereby establishes the following Assessment Review Boards for the Town of Cochrane:

- (a) Local Assessment Review Board No. 1 that shall consist of one (1) member;
- (b) Local Assessment Review Board No. 2 that shall consist of three (3) members;

- (c) Composite Assessment Review Board No. 1 that shall consist of one (1) member;
and
 - (d) Composite Assessment Review Board No. 2 that shall consist of three (3) members.
- 3.2 The Assessment Review Board shall carry out the duties and responsibilities as set out in the Municipal Government Act and Assessment Complaints Regulation.
 - 3.3 Where a panel consists of 3 members, the panel members must choose a presiding officer from among themselves.
 - 3.4 Where a panel has only one member, that member is the presiding officer.
 - 3.5 As per the Town of Cochrane "Designated Officer Bylaw," the CAO is the designated officer to act as the Clerk of the assessment review boards having jurisdiction in the Town of Cochrane and has the authority to delegate that authority to any Town of Cochrane staff member.

4. MEMBERSHIP AND TERM

- 4.1 Members shall be appointed to the Regional Pool at the annual Organizational meeting of Council to the Town of Cochrane Assessment Review Board.
- 4.2 Council must appoint at least 3 Members and Members shall be appointed for a term up to three-years that commences on January 1 and ends on December 31.
- 4.3 Council delegates their authority to appoint a Chair of the board to the members of the board to make the decision at the Assessment Review Board's yearly organizational meeting.
- 4.4 A Member may serve more than one term but in no event shall a Member serve more than two consecutive terms unless otherwise designated by Council.
- 4.5 All membership vacancies shall be advertised to request formal submission of applications.
- 4.6 Appointments of members will be made from those applicants responding on a timely basis to the advertised need.
- 4.7 Appointments to be made through a secret ballot vote by Council with the candidate, or candidates, receiving the highest number of votes being appointed by resolution of Council if the majority of Council voted in favor of that candidate.
- 4.8 There will be no automatic succession appointments.
- 4.9 An employee of the municipality, an assessor or an agent shall not be appointed to the ARB.
- 4.10 Members must abide by any Codes of Conduct adopted by Council.
- 4.11 A Member is not eligible for continuing a term on the Board and/or for reapplying for the next subsequent term on the Board if the Member:
 - (a) fails to attend three consecutive meetings of the Board, unless that absence is caused by illness or is authorized in advance by the Chair with notice of and reasons for the member's absence (the sufficiency of such reasons to be determined by the Chair in his or her sole discretion); or
 - (b) ceases to meet the eligibility requirements set out in this bylaw.
- 4.12 Council delegates authority to the Chief Administrative Officer to assign duly appointed members

from the Regional Pool to the established Assessment Review Boards, as required.

5. RESIGNATIONS AND REMOVALS

- 5.1 Any Member may resign from the Board at any time by sending written notice to the Clerk who shall inform Council and the Board Chair.
- 5.2 Council may remove a Member at any time.

6. RENUMERATION

- 6.1 Members are eligible for compensation for attending the following municipal business:
 - (a) Training required under the Assessment Complaints Regulation, as amended;
 - (b) Assessment Review Board hearings;
 - (c) Members shall be compensated as set out in Schedule 'A' to this bylaw

7. COMPLAINT FILING FEE

- 7.1 Complaint filing fees are as set out in Schedule 'B' to this Bylaw.
- 7.2 The complaint fee will be refunded if:
 - (a) The Board makes a decision in favour of the Complainant;
 - (b) An agreement is reached with an assessor prior to the hearing; or
 - (c) The complaint is withdrawn.

8. WITHDRAWING A COMPLAINT

- 8.1 A notice made by the Appellant to withdraw an appeal must be made in writing (letter or email) and submitted to the ARB Clerk:
 - (a) before the hearing begins, or
 - (b) after the close of the hearing but before the Board issues its decision.
- 8.2 A notice made by the Appellant to withdraw an appeal may be made verbally if the notice is made during the hearing.

9. VIRTUAL PARTICIPATION IN HEARINGS

- 9.1 The public, Applicant, Appellant, Respondent and Board members may attend virtually by electronic means, at the discretion of the Clerk.
- 9.2 If the hearing is held in the Town of Cochrane Council Chambers, the public, Applicant, Appellant, Respondent and Board members may only attend virtually if at minimum, the virtual attendees can be heard in Council Chambers and by other virtual attendees and the attendees in Council Chambers can be heard by the virtual attendees.
- 9.3 During deliberations, a Board member attending virtually shall confirm no one else is present in their location who is able to hear the deliberations discussion

10. GENERAL MATTERS

- 10.1 That Bylaw 12/2009 and any amendments thereto, is hereby repealed in its entirety.
- 10.2 This Bylaw comes into full force and effect upon third and final reading.

Read a First Time: May 27, 2024
Read a Second Time: June 10, 2024
Read a Third Time: June 10, 2024

Mayor

Director, Legislative &
Administrative Services

Town of Cochrane
Bylaw No. 20/2024 ~ Assessment Review Board Schedule 'A'

1. Remuneration for Assessment Board members participating in hearings and training shall be as follows:
 - 1.1. Member
 - \$100 up to 4 hours;
 - \$200 for 4 hours up to 8 hours;
 - \$400 over 8 hours.
 - 1.2. Chair will receive an additional \$50 per hearing (does not apply to training).

Town of Cochrane
Bylaw No. 20/2024 ~ Assessment Review Board Schedule 'B'

1. Complaint fees for the assessment complaint process shall be set at:
 - Residential 3 or fewer dwellings - \$50 per complaint;
 - Residential 4 or more dwellings - \$600 per complaint; and
 - Non-residential - \$600 per complaint.