

**BYLAW NO. 195**  
**SUMMER VILLAGE OF ROSS HAVEN**

**Being a Bylaw of the Summer Village of Ross Haven, in the Province of Alberta, for the purpose of establishing an Assessment Review Board to hear all assessment appeals in respect to the Assessment Roll, establish Assessment Appeal Fee's, and establish Remuneration Rates for the Board Members.**

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**WHEREAS** Section 454 and 481 of the Municipal Government Act, RSA 2000, Chapter M-26, a Municipal Council may, by bylaw, establish an Assessment Review Board; and

**WHEREAS** Council wishes to establish a board to consider any assessment appeals which may be received;

**NOW THEREFORE**, the Council of the Summer Village of Ross Haven, in the Province of Alberta, duly assembled, enacts as follows:

**Part I:**           Appointments/Terms

1. That a board known as the Assessment Review Board for the Summer Village of Ross Haven, hereinafter called "The Board" is hereby established;
2. The Board shall be comprised of three (3) members who shall be drawn from a pool of members of the public at large by the Administration;
  - a) No person who is an Assessor shall be appointed to act as a member of the Assessment Review Board;
  - b) Each member shall be appointed for a term not exceeding three (3) years and may be re-appointed upon expiry;
  - c) Any vacancy caused by the death, retirement or resignation of a member, shall be filled by the Administration;
  - d) A member shall not be disbanded or discharged without cause.
3. Three (3) members of the Assessment Review Board shall constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Board, provided that a majority of the members are not Councillors for the Summer Village of Ross Haven;
4. A decision of The Board shall be made only by those members present at a meeting duly convened;
5. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of The Board;
6. The Board shall hold such meetings as are necessary to fulfill The Board's responsibility;
7. The Board shall prepare and maintain a record of written minutes of the business transacted at all meetings of The Board, copies of which shall be regularly filed with Council;

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8. a) The Board shall elect a Chairman from amongst the members in attendance at any required meeting;
- b) The election of Chairman shall occur at the beginning of each meeting.

**PART II** Proceedings

9. The Board shall hear appeals whereby the municipality has received a complaint subject to the following conditions:
  - a) a complaint must be in writing and must be accompanied with a fee set by Council.
  - b) a complaint may be made only by an assessed person or a taxpayer.
  - c) the complaint must explain why the complainant thinks that information shown on an assessment or tax notice is incorrect.
  - d) the complaint must be received prior to June 15 of the year the Assessment /Tax Notice were sent.
10. The Board must hear the complaint and make its decision within 150 days after the assessment/tax notices are sent out by the municipality.
11. In determining an appeal, The Board shall comply with Part 11, of the Municipal Government Act, RSA 2000, Chapter M-26.
12. The Board shall give its decision, in writing together with reasons for the decision, within fifteen (15) days of the conclusion of the hearing;

**Part III** Appointment of Secretary

13. The Council of the Summer Village of Ross Haven hereby appoints the Municipal Administrator as the Secretary of The Board.
16. The administration of The Board shall be performed by the Secretary of the Board as appointed by Council;
17. The administration of assessment appeals shall be performed by the Secretary of the Board, as appointed by Council.

**Part IV** Fee's

14. The Council of the Summer Village of Ross Haven hereby sets a fee payable by a person wanting to make a complaint. This fee forms part of this bylaw and shall be established by resolution of Council, as it considers necessary, and are attached as Schedule "A".
15. If The Board makes a decision in favour of the complainant, the fees paid by the complainant will be refunded.

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**Part V            Remuneration**

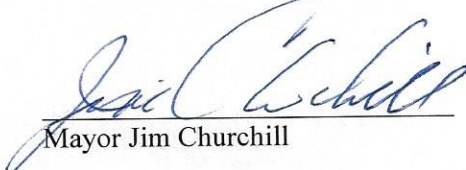
16.    The remuneration, traveling and other expenses of The Board members, including the Secretary, shall be set by resolution of Council, as it considers necessary, and are attached as Schedule "B".


**THAT**, this bylaw shall come into force and effect upon the third and final reading and repeals Bylaw # 156.

READ a first time this 14<sup>th</sup> day of June, 2005.

READ a second time this 14<sup>th</sup> day of June, 2005.

READ a third and final time this 12<sup>th</sup> day of July, 2005.

  
\_\_\_\_\_  
Mayor Jim Churchill

  
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Municipal Administrator  
Dennis Evans





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**Schedule "A"**

**FEE'S**

A fee payable for each parcel of property on which a person wishes to register a complaint.	\$150.00
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**Schedule "B"**

**REMUNERATION**

Honorarium:	One (1) to Four (4) hour Hearing	\$ 75.00
	Four (4) to Eight (8) hour Hearing	\$150.00
Mileage:	Per Kilometer	\$ .45