

**BYLAW 8-2025
OF THE
TOWN OF VERMILION
(hereinafter referred to as the "Municipality")
IN THE PROVINCE OF ALBERTA**

**BEING A BYLAW OF TOWN OF VERMILION IN THE PROVINCE OF ALBERTA, TO
ESTABLISH JOINT ASSESSMENT REVIEW BOARDS FOR THE COUNTY OF VERMILION
RIVER, CITY OF LLOYDMINSTER, TOWN OF VERMILION, VILLAGE OF KITSCOTY,
VILLAGE OF MANNVILLE, VILLAGE OF PARADISE VALLEY AND THE VILLAGE OF
MARWAYNE**

WHEREAS Section 455 of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, authorizes two or more municipal councils to agree to jointly establish the local assessment review board or the composite assessment review board or both to have jurisdiction in their municipalities;

AND WHEREAS section 456 of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, authorizes Council of the Town of Vermilion by bylaw establish a local assessment review board or composite assessment review board or both;

AND WHEREAS the Council of the Town of Vermilion deems it necessary to establish a joint local assessment review board and a joint composite assessment review board to hear assessment complaints within the municipal boundaries of the County of Vermilion River, City of Lloydminster, Town of Vermilion, Village of Kitscoty, Village of Mannville, Village of Paradise Valley and the Village of Marwayne.

NOW THEREFORE the Town of Vermilion duly assembled hereby enacts as follows:

1. TITLE

1.1. This Bylaw may be cited as the "Joint 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. ESTABLISHMENT

3.1. The Councils of the Participating Municipalities hereby jointly establish a Joint Local Assessment Review Board to exercise the functions of a Local Assessment Review Board in their municipalities.

3.2. The Joint Local Assessment Review Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board under the provisions of the *Municipal Government Act*

and *The Lloydminster Charter* in respect of assessment complaints made by taxpayers of the Participating Municipalities.

- 3.3. The Councils of the Participating Municipalities hereby jointly establish a Joint Composite Assessment Review Board to exercise the functions of a Composite Assessment Review Board in their municipalities.
- 3.4. The Joint Composite Assessment Review Board shall have jurisdiction to exercise the functions of a Composite Assessment Review Board under the provisions of the *Municipal Government Act* and *The Lloydminster Charter* in respect of assessment complaints made by taxpayers of the Participating Municipalities.
- 3.5. In the event that not all of the Participating Municipalities adopt this Bylaw to establish the Joint Assessment Review Boards, for the purpose of this Bylaw the Participating Municipalities shall be deemed to be the municipalities that have adopted the Bylaw.
- 3.6. The Joint Assessment Review Boards shall adhere to the Joint Assessment Review Board Procedures as set out in Schedule "B".

4. MEMBERSHIP

- 4.1. The Joint Assessment Review Boards shall consist of at least four (4) Members at large appointed by resolution of the Council for the Appointing Municipality. Members shall be appointed for a specified term not exceeding three (3) years. For further clarity, the Participating Municipalities hereby delegate their authority to appoint Members to the Appointing Municipality.
- 4.2. The Appointing Municipality shall be designated by resolution of the Councils of the Participating Municipalities, which resolution shall establish the term of the Appointing Municipality.
- 4.3. All Members must meet the qualifications prescribed in the *Municipal Government Act*, *The Lloydminster Charter*, and the Regulations, as amended from time to time.
- 4.4. All Members shall be considered jointly appointed to both the Joint Local Assessment Review Board and the Joint Composite Assessment Review Board.
- 4.5. Council for the Appointing Municipality shall make reasonable efforts to attract candidates and appoint Members who are residents in each of the Participating Municipalities. Notwithstanding the foregoing, Council for the Appointing Municipality may appoint a Member who is not a resident of any of the Participating Municipalities if:
 - 4.5.1. Council for the Appointing Municipality does not receive a sufficient number of applications from candidates who are residents of the Participating Municipalities; or
 - 4.5.2. in the opinion of Council for the Appointing Municipality, the Member has particular qualifications, skills or experience which will assist the Joint

Assessment Review Boards in determining complaints before them.

- 4.6. Up to three (3) Members may be appointed by resolution of Council for the Appointing Municipality as alternate Members to fill a vacancy on the Board caused by an absence, retirement, or resignation of a member at large, to allow the Joint Assessment Review Boards to continue to conduct business to ensure quorum requirements are fulfilled.
- 4.7. No person shall be appointed as a Member of the Joint Assessment Review Boards who is:
 - 4.7.1. an employee of a Participating Municipality;
 - 4.7.2. an assessor on behalf of a Participating Municipality;
 - 4.7.3. a designated officer having authority to grant or cancel tax exemptions or deferrals under the *Municipal Government Act* or *The Lloydminster Charter*; or;
 - 4.7.4. a person who regularly acts for assessed persons or taxpayers during the assessment complaint process or at hearings before a panel of any assessment review board or the Municipal Government Board.
- 4.8. Council for the Appointing Municipality may, by resolution, remove a Member from the Joint Assessment Review Boards at any time if:
 - 4.8.1. in the opinion of Council for the Appointing Municipality, a Member is not performing their duties satisfactorily in accordance with this Bylaw and the *Municipal Government Act* or *The Lloydminster Charter* as the case may be; or
 - 4.8.2. a Member is absent for more than three (3) consecutive meetings of the Joint Assessment Review Boards without an adequate excuse.
- 4.9. In the event Council for the Appointing Municipality is considering the removal of a Member, Council for the Appointing Municipality shall provide the Member or the Member's representative a reasonable opportunity to be heard by Council for the Appointing Municipality and thereafter provide the Member with a decision in writing with reasons.
- 4.10. Council for the Appointing Municipality may, by resolution, appoint additional Members to the Joint Assessment Review Boards for a specific term of up to three (3) months, as the Council for the Appointing Municipality sees fit to ensure the Joint Assessment Review Boards will have a quorum for a Hearing.
- 4.11. Members shall adhere to the Member Rules of Conduct as set out in Schedule "C" to this Bylaw.
- 4.12. Any Member may resign as a Member of the Joint Assessment Review Boards by sending written notice to the Council for the Appointing Municipality.
- 4.13. Before participating in a Hearing all Members are required to complete the training requirements defined in the *Municipal Government Act*, *The Lloydminster Charter*, and the Regulations.
- 4.14. At the direction of the Chair, Members must participate in any training offered by the

Participating Municipalities or the Province, to assist them in carrying out their duties as Members of the Joint Assessment Review Boards.

5. CHAIR

- 5.1. The Chair of the Joint Assessment Review Boards shall be appointed by resolution of the Council for the Appointing Municipality for a one (1) year term. For further clarity, the Participating Municipalities hereby delegate their authority to appoint a Chair to the Appointing Municipality.
- 5.2. The Chair of the Joint Assessment Review Boards shall be jointly appointed as the Chair of the Joint Local Assessment Review Board and the Joint Composite Assessment Review Board.
- 5.3. The Chair of the Composite Assessment Review Board shall be the Provincial Member.
- 5.4. The Chair may delegate any of the powers, duties, or functions of the Chair to another Member, but not a provincial Member of a panel of the Joint Composite Assessment Review Board.
- 5.5. In addition to any other duties and functions prescribed in the *Municipal Government Act*, *The Lloydminster Charter*, and the Regulations, as the case may be, the Chair:
 - 5.5.1. when a Hearing is to be held, shall convene a panel to hear the complaint in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be;
 - 5.5.2. shall ensure that all Hearings are conducted in a fair and impartial manner, in accordance with the rules for such hearings as set out in the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be, and the rules of natural justice;
 - 5.5.3. is authorized to rule that evidence presented at a Hearing is irrelevant to the matter at issue and may direct the Members to disregard the evidence;
 - 5.5.4. shall prescribe training programs for Members; and
 - 5.5.5. may limit a submission if they determine it to be repetitious.

6. QUORUM

- 6.1. Where a panel of the Joint Composite Assessment Review Board consists of three (3) Members, a quorum is two (2) Members, one (1) of whom must be a provincial Member.
- 6.2. Where a panel of the Joint Local Assessment Review Board consists of three (3) Members, a quorum is two (2) Members.

7. CLERK

- 7.1. The Clerk shall be appointed by resolution of the Council for the Appointing Municipality. For further clarity, the Participating Municipalities hereby delegate their authority to appoint a Clerk to the Appointing Municipality.

7.2. The responsibilities of the Clerk are as follows:

- 7.2.1. ensure all statutory duties and requirements of the *Municipal Government Act*, *The Lloydminster Charter* and related regulation regarding Joint Assessment Review Boards are met;
- 7.2.2. inform all affected parties of a Hearing in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be;
- 7.2.3. inform all statutory parties of a Hearing in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be;
- 7.2.4. compile all necessary documentation for distribution to the Members;
- 7.2.5. attend all Hearings;
- 7.2.6. provide services for the recording of the proceedings of the Joint Assessment Review Boards and for retention of exhibits, including all written submissions to the Joint Assessment Review Boards;
- 7.2.7. prepare the minutes for Hearings, including the names and addresses of all parties making representations to the Joint Assessment Review Boards;
- 7.2.8. communicate decisions of the Joint Assessment Review Boards to the affected parties in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be; and
- 7.2.9. such other matters as the Joint Assessment Review Boards may direct.

8. DECISIONS

- 8.1. Only Members present for the entire Hearing shall participate in the making of a decision on any matter before the Joint Assessment Review Boards.
- 8.2. The decision of the majority of Members present at the meeting shall be deemed to be the decision of the Joint Local Assessment Review Board or Joint Composite Assessment Review Board, as the case may be.
- 8.3. In the event of a tie vote, the complaint shall be dismissed.

9. FEES AND REMUNERATION

9.1. Each Member shall be paid remuneration as follows:

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

9.2. A Chair shall be paid remuneration as follows:

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

9.3. A Clerk shall be invoiced to the Originating Municipality by the Appointing

Municipality as follows:

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

- 9.4. Members of the Assessment Review Board shall not be entitled to any additional compensation, remuneration, or honorarium for time spent preparing for hearings, including reviewing disclosure materials, legislation, or decisions.

10. ADMINISTRATION

- 10.1. The Originating Municipality will provide the administrative resources for a Hearing. Notwithstanding the foregoing, an Originating Municipality may request that another Participating Municipality act as an Assisting Municipality and provide the administrative resources for a Hearing.
- 10.2. In the event that a Participating Municipality agrees to act as an Assisting Municipality for a Hearing, the Originating Municipality shall be required to reimburse the Assisting Municipality in accordance with Part 11 of this Bylaw.
- 10.3. The fee for a complaint will be the fee as set by the Council of the Originating Municipality, as the case may be, from time to time. A refund of the complaint fee may be granted by the Originating Municipality in its sole discretion if a withdrawal is received in writing and has been delivered to the Clerk prior to notifications of the Hearing being sent out, provided however that nothing in the foregoing shall relieve the Originating Municipality from its responsibility for the costs of the complaint in accordance with Part 11 of this Bylaw.
- 10.4. Hearings will be held at the municipal office of the Originating Municipality, or such other location as determined by the Originating Municipality or Assisting Municipality, as the case may be, and advertised in accordance with the *Municipal Government Act* or *The Lloydminster Charter*.

11. JOINT ASSESSMENT REVIEW BOARD COSTS

- 11.1. Each Participating Municipality shall pay an administrative fee in the amount of two hundred fifty (\$250.00) dollars per annum throughout the term of this Agreement (the "Annual Fee") to the Appointing Municipality, as contribution to the Appointing Municipality's administrative and other costs and expenses with respect to the appointment of Members and general operations of the Joint Assessment Review Board. The Annual Fee shall be payable by each of the Participating Municipalities no later than the 30th day of March during each year this Bylaw remains in effect regardless of whether or not a complaint has been filed in a Participating Municipality in any given year and is in addition to and does not replace the costs and expenses referred to in subsections 11.2 and 11.3 below.

11.2. All costs and expenses incurred by the Appointing Municipality with respect to training Members, including administrative costs and any legal or other fees the Appointing Municipality may incur (the "Training Costs"), shall be paid by each of the Participating Municipalities to the Appointing Municipality on a cost recovery basis. The Training Costs shall be payable by the Participating Municipalities on a pro rata basis, with each Participating Municipality paying an equal share of such costs.

11.3. All Joint Assessment Review Board costs and expenses which relate to a particular complaint, including the administrative cost of holding the Hearing and any legal or other fees the Joint Assessment Review Board may incur, shall be paid by the Originating Municipality to an Assisting Municipality on a cost recovery basis.

12. NUMBER AND GENDER REFERENCES

12.1. 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.

13. SEVERABILITY

13.1. 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. 01-2022 – Joint Assessment Review Boards Bylaw

INTRODUCED AND READ a first time this 18 day of NOVEMBER 2025, A.D.

READ a second time this 18 day of Naember, 2025, A.D.

READ a third time this 18 day of November, 2025, A.D.

Nov 18, 2025
Date Signed


MAYOR

NOV 18 2025
Date Signed


CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"
Definitions

Appointing Municipality	The Municipality responsible for appointing Members pursuant to Part 4 of this Bylaw.
Assisting Municipality	A Participating Municipality providing administrative resources for a Hearing at the request of an Originating Municipality.
Charter	Refers to <i>The Lloydminster Charter</i> .
Clerk	The designated officer appointed as the clerk of the Joint Assessment Review Boards in accordance with section 456 of the <i>Municipal Government Act</i> .
Hearing	Hearing of a Joint Assessment Review Board.
Joint Assessment Review Boards	The Joint Local Assessment Review Board and the Joint Composite Assessment Review Board.
Joint Composite Assessment Review Board	A board established to hear and make decisions on complaints about any matter referenced in section 460(1) of the <i>Municipal Government Act</i> .
Member	A member of the Joint Assessment Review Boards as appointed by the Appointing Municipality.
Municipal Government Act	The <i>Municipal Government Act, RSA 2000, c M-26</i> , as amended from time to time.
Originating Municipality	The municipality receiving the appeal.
Participating Municipalities	The County of Vermilion River, City of Lloydminster, Town of Vermilion, Village of Kitscoty, Village of Mannville, Village of Paradise Valley and the Village of Marwayne.
Regulations	The applicable regulations established under the <i>Municipal Government Act</i> or <i>The Lloydminster Charter</i> as the case may be.

SCHEDULE "B"

JOINT ASSESSMENT REVIEW BOARD PROCEDURES

1. HEARINGS

- 1.1. The Joint Assessment Review Boards shall adhere to the principles of administrative justice, including but not limited to, procedural fairness, transparency, and accountability, as applicable to their respective roles.
- 1.2. The Joint Assessment Review Boards shall hold a public hearing respecting the complaint in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be.
- 1.3. The Joint Assessment Review Boards shall give notice of the hearing in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be.
- 1.4. The Joint Assessment Review Boards shall make available for public inspection prior to the hearing all relevant documents and materials respecting the complaint in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be.
- 1.5. The Joint Assessment Review Boards shall hear from parties in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be.
- 1.6. The Joint Assessment Review Boards shall hear complaints in public, but may, at any time, recess and deliberate in camera when it considers it necessary to protect confidential, personal, financial or commercial information, and where the need for confidentiality outweighs the desirability of a public hearing.
- 1.7. Electronic or similar recording devices shall not be used during the hearing by anyone in attendance except the Clerk.
- 1.8. The Joint Assessment Review Boards shall make and keep a written record of its proceedings which may be in the form of a summary of the evidence presented at the hearing.
- 1.9. The Joint Assessment Review Boards shall give a written decision together with the reasons for the decision in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be.

2. CONDUCT AT HEARINGS

- 2.1. Members of the public in attendance at a hearing:
 - 2.1.1. shall address the Joint Local Assessment Review Board or Joint Composite Assessment Review Board, as the case may be, through the Chair;
 - 2.1.2. shall maintain order and quiet; and
 - 2.1.3. shall not applaud or otherwise interrupt any speech or action of the Members or any other person addressing the Joint Local Assessment Review Board or Joint Composite Assessment Review Board, as the case may be.
- 2.2. The Chair may order that a member of the public, or a party to the hearing, who repeatedly interrupts the proceedings or engages in disorderly conduct after being warned by the Chair, be removed or expelled from the hearing. In executing such an order, the Chair may request assistance from the Clerk, or any other law enforcement officer as deemed necessary, for this purpose.

SCHEDULE "C"

MEMBER RULES OF CONDUCT

1. PECUNIARY INTEREST

- 1.1. A Member of the Joint Assessment Review Boards must not hear or vote on any decision that relates to a matter in respect of which the Member has a pecuniary interest.
- 1.2. A Member would be deemed to have a pecuniary interest in a matter to the same extent that a Councillor would be deemed to have a pecuniary interest in a matter, as outlined and in accordance with the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be.
- 1.3. If a Member is appointed to a panel hearing a complaint, and discovers during the complaint hearing that they have a pecuniary interest in the matter before the panel, the Member shall immediately disclose their pecuniary interest, and shall immediately recuse themselves from the proceedings. If the panel still has quorum as defined in this Bylaw and the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be, after the Member's recusal, it may continue to hear the complaint. If the panel does not have quorum as defined herein after the Member's recusal, the panel must cease the hearing, and a new panel be appointed to hear the complaint.

2. CONFLICT OF INTEREST

- 2.1. Where a Member of the Joint Assessment Review Boards is of the opinion that they have a conflict of interest in respect of a matter before the Board, the Member must abstain themselves from the board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the Member:
 - 2.1.1. declares a conflict of interest; and
 - 2.1.2. describes in general terms the nature of the conflict of interest.
- 2.2. The Clerk shall cause a record to be made in the minutes of the Member's absence and the reasons for it.
- 2.3. If a Member is appointed to a panel hearing a complaint, and discovers during the complaint hearing that they have a conflict of interest in the matter before the panel, the Member shall immediately disclose that they have a conflict of interest, and shall immediately recuse themselves from the proceedings. If the panel still has a quorum as defined in this Bylaw and the *Municipal Government Act* or *The Lloydminster Charter*, as the case may be, after the Member's recusal, it may continue to hear the complaint. If the panel does not have quorum as defined herein after the Member's recusal, the panel must cease the hearing, and a new panel be appointed to hear the complaint.
- 2.4. For further clarity, a Member has a conflict of interest in respect of a matter before the Joint Assessment Review Boards when the member is of the opinion that:
 - 2.4.1. they have a personal interest in the matter which would conflict with his or her obligation as a Member to fairly consider the issue; or
 - 2.4.2. substantial doubt as to the ethical integrity of the Member would be raised in the minds of a reasonable observer, if that Member were to participate in the consideration of the matter.

3. MEMBER CONDUCT

- 3.1. A Member shall:
 - 3.1.1. not discuss any matter under complaint with any party to that complaint,

outside of the formal hearing process;

- 3.1.2. keep in camera discussions of the Joint Assessment Review Boards and legal advice provided to the Joint Assessment Review Boards confidential, except where required to disclose that information by law; and
- 3.1.3. attend all Joint Assessment Review Boards hearings to which they has been assigned unless prior written consent has been received from the Chair.