

Bylaw No. 2021 – 68 (amended by 2022-14* , 2022-46 ,
and 2022-62^)**

RM of Edenwold No. 158 – Unofficial

A Bylaw to Establish a Board of Revision

Whereas, pursuant to Section 220 of the *Municipalities Act*, Council is authorised to establish a board of revision for the municipality.

The purpose of this Bylaw is to create a board of revision to review assessment appeals and confirm or amend assessment values as outlined in Sections 243 to 257 of the *Municipalities Act*.

The Council of the Rural Municipality of Edenwold No. 158, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS

In this Bylaw, including this section:

- 1.1 **Act** shall mean *The Municipalities Act*, 2005, as amended or repealed and replaced from time to time.
- 1.2 **Administrator** shall mean the employee or representative of the municipality tasked with enforcing this Bylaw, or their delegate.
- 1.3 **Board of Revision** shall mean a board of persons appointed by Council pursuant to the Act;
 - a. the Board of Revision may also be referred to as the 'Board.'
- 1.4 **Council** shall mean the elected representatives of the Rural Municipality of Edenwold No. 158 consisting of Councillors and Reeve.
- 1.5 **Member** shall mean a person sitting on the Board of Revision.
- 1.6 **Municipality** shall mean the Rural Municipality of Edenwold No. 158.
- 1.7 **Secretary** shall mean a person responsible for performing the duties outlined in the Act and this Bylaw.*

2. BOARD OF REVISION

- 2.1 The municipality is hereby authorized to establish a Board of Revision.
- 2.2 All persons wishing to file a notice of appeal to the Board shall pay to the municipality an assessment appeal fee of seventy-five (\$75.00) dollars pursuant to Section 224 of the Act.
- 2.3 The municipality shall provide honorariums to Members and the Secretary as follows:
 - a. Members of the Board:
 - i. \$150.00 per appeal sitting;
 - ii. \$25.00 per hour for the initial review of appeal submissions;**^
 - iii. \$25.00 per hour for additional meetings after hearings, including, but not limited to, decisions, further discussion, and review;^
 - iv. \$25.00 per hour for Administrator-approved training, seminars, and workshops; and
 - v. \$0.59 per km for travel.

- b. Secretary:
 - i. \$45.00 per hour;
 - ii. \$25.00 per hour for Administrator-approved training, seminars, and workshops; and
 - iii. \$0.59 per km for travel.
- 2.4 The municipality may also reimburse other expenses as follows:
 - a. Breakfast – Up to \$15.00 per day;
 - b. Lunch – Up to \$20.00 per day; and
 - c. Dinner – Up to \$25.00 per day.
- 2.5 With Administrator approval, the Board may hear assessment appeals from other municipalities.
- 2.6 Pursuant to 2.5, any other municipality hiring the Board shall sign an agreement, attached to and forming part of this Bylaw as Appendix A.*

3. BOARD MEMBERS

- 3.1 Council shall appoint up to nine members to the Board of Revision.
- 3.2 Members shall sit on the Board for a two (2)-year term, commencing January 1st or at the next Council meeting, as determined by Council.
- 3.3 Members shall attend all Administrator-approved training, seminars, and workshops.
- 3.4 Council may, by resolution, remove a member from the Board.
- 3.5 Members may resign at any time upon submittal of written notice to the Secretary.
- 3.6 Any Member who believes they may be in conflict of interest with an appeal shall recuse themselves from the Board while it hears that appeal.

4. BOARD SECRETARY

- 4.1 Council shall appoint a Secretary to the Board of Revision.
- 4.2 In addition to those duties prescribed in the Act, the Secretary shall:
 - a. Review appeals for completeness and request additional information if required;
 - b. Ensure the fee outlined in 2.2 has been paid to the municipality;
 - c. Identify and communicate deadlines with Members, appellants, and assessors;
 - d. Set date, time, and location for Board hearings and provide notice of this information to Members, appellants, and assessors;*
 - e. Request extension of time from Minister of Government Relations if the Board is unable to meet the legislated deadline of 180 days to hear and decide all appeals;
 - f. Prepare hearing agendas;
 - g. Receive evidence, responses from other parties, assessment field sheets, and written explanations regarding assessment determinations and distribute this information to Members;*
 - h. Issue subpoenas and summons, and serve summons when requested by the Board;

- i. Hold Board hearings in Council chambers;
- j. Maintain a record of attendance of Members;*
- k. <amended by 2022-14>*
- l. Review Board written decision, including reasons;*
- m. Serve decision to Members, appellants, and assessors, including information regarding the ability to appeal to the Assessment Appeals Committee;*
- n. Submit records to the Assessment Appeals Committee, upon request;
- o. Store Board records in accordance with the municipality's records retention and disposal regulations;
- p. Coordinate the activities of the Board;*
- q. Attend all training sessions; and
- r. Reschedule Board hearings as needed.*

5. SEVERABILITY

5.1 If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase, or other portion of this Bylaw to be invalid, that portion shall not be construed as having persuaded or influenced Council to pass the remainder of this Bylaw. The part, section, sentence, clause, phrase, or other portion of this Bylaw is to be deemed a separate, distinct, and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.

6. COMING INTO FORCE

6.1 This Bylaw shall come into force and take effect on the final passing thereof.

1st Reading: November 23rd, 2021

2nd Reading: December 14th, 2021

SEAL

3rd Reading: December 21st, 2021

Reeve: _____

Administrator: _____

Board of Revision Agreement

This Agreement made this _____ day of _____, 20____,

BETWEEN:

The Rural Municipality of Edenwold No. 158

100 Hutchence Road

Emerald Park, SK S4L 1C6

(hereinafter referred to as the "Board Organizer")

OF THE FIRST PART

- AND -

(hereinafter referred to as the "Hiring Municipality")

OF THE SECOND PART

Whereas the Hiring Municipality seeks to appoint a Board of Revision made up of members selected by the Board Organizer pursuant to RM of Edenwold No. 158 Bylaw No. 2021-68.

AND Whereas, pursuant to Section 220 of *The Municipalities Act*, 2005 (the Act), a council shall appoint not less than three persons to constitute the board of revision for the municipality.

NOW THEREFORE THIS AGREEMENT WITNESSED AS FOLLOWS:

1. The Hiring Municipality agrees to appoint to its Board of Revision those persons selected by the Board Organizer.
2. The Hiring Municipality agrees to appoint as secretary of its Board of Revision that person selected by the Board Organizer.
3. The Hiring Municipality agrees to collect an assessment appeal fee of seventy-five (\$75.00) dollars from appellants.
4. The Hiring Municipality agrees to provide honorariums to Members of the Board of Revision and Secretary, paid through the Board Organizer, in the following amounts:
 - a. Members of the Board:
 - i. \$160.00 per appeal sitting;
 - ii. \$35.00 per hour for the initial review of appeal submissions; and
 - iii. \$35.00 per hour for additional meetings after hearings, including, but not limited to, decisions, further discussion, and review; and

Appendix A

iv. \$0.59 per km for travel.

b. Secretary:

i. \$55.00 per hour; and

ii. \$0.59 per km for travel.

5. The Board Organizer assumes no legal responsibility or liability for any decision made by the Board of Revision appointed pursuant to this agreement.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first written above.

The Hiring Municipality

Per: _____
_____ (printed)

Per: _____
_____ (printed)

SEAL

The Board Organizer

Per: _____
_____ (printed), Reeve

Per: _____
_____ (printed), Administrator

SEAL