

BYLAW 1411/18
APPOINTMENT OF MUNICIPAL ASSESSOR
STURGEON COUNTY, MORINVILLE, ALBERTA

BYLAW 1411/18 BEING A BYLAW OF STURGEON COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A DESIGNATED OFFICER POSITION TO CARRY OUT THE FUNCTIONS, DUTIES AND POWERS OF A MUNICIPAL ASSESSOR.

WHEREAS, pursuant to section 210 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a Council may by bylaw establish one or more positions to carry out the powers, duties, and functions of a designated officer, and

WHEREAS, pursuant to section 284.2(1) of the *Municipal Government Act*, a municipality must appoint a person having the qualifications set out in the regulations to the position of designated officer to carry out the functions, duties and powers of a municipal assessor, and

WHEREAS, pursuant to section 284.2(2) of the *Municipal Government Act*, and subject to the regulations, a municipal assessor may delegate to any person any power or duty conferred or imposed on the municipal assessor.

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, hereby enacts as follows:

CITATION

1) This Bylaw may be cited as the “Appointment of Municipal Assessor Bylaw”.

PURPOSE

2) The purposes of this Bylaw are to:

- a) Establish a Designated Officer position to carry out the powers, duties and functions of a Municipal Assessor under the *Municipal Government Act*, amendments and regulations thereto, or any other enactment or bylaw.
- b) Identify the powers, duties and functions of the Designated Officer as a Municipal Assessor.
- c) Provide for the delegation of the Designated Officer’s powers, duties and functions.

DEFINITIONS

3) In this Bylaw:

- a) “County” means the municipal corporation of Sturgeon County.

- b) "County Commissioner" means the Chief Administrative Officer of the County, or his/her delegate.
- c) "Designated Officer" means a person appointed to a position established under section 210(1) of the *Municipal Government Act*.
- d) "*Municipal Government Act*" means the *Municipal Government Act*, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto.
- e) "Qualified Person" means a person who holds the credentials required, if any, to perform the powers, duties and functions of a Designated Officer.

ESTABLISHMENT

- 4) The Designated Officer position of Municipal Assessor is hereby established.
- 5) The County Commissioner will appoint an individual to the position of Municipal Assessor and will establish the terms and conditions of the appointment.

POWERS AND DUTIES

- 6) The Municipal Assessor shall exercise the powers, duties and functions of the Municipal Assessor and of the municipality in relation to County assessments and taxation as permitted or required by Parts 9 and 10 of the *Municipal Government Act*, except for the following items, which require Council approval:
 - a) Approval of tax agreements; and
 - b) Decisions to cancel, reduce, refund or defer taxes.
 - c) Without limiting the preceding, the Municipal Assessor may in the exercise of the Municipal Assessor's powers, duties and functions, issue notices, certify records, swear statutory declarations, conduct inspections, demand records, produce and disclose information to other governmental authorities, and take the actions required for the preparation and administration of the County's assessment and taxation rolls.

DELEGATION POWERS

- 7) Subject to the regulations, a Municipal Assessor may delegate to any employee of Sturgeon County, any power or duty conferred or imposed on the Municipal Assessor by the *Municipal Government Act*.

TRANSITIONAL PROVISIONS, REPEAL AND EFFECTIVE DATE

- 8) The Municipal Assessor appointed for Sturgeon County at the time of this bylaw coming into force is deemed to be the Municipal Assessor for Sturgeon County until such time the County Commissioner appoints a replacement.
- 9) This Bylaw repeals Bylaw 889/00 – Designated Officers Bylaw.

10) That this Bylaw shall come into force and take effect upon the date of third and final reading.

READ a first time this ____ day of _____ 2018.

READ a second time this ____ day of _____ 2018.

READ a third time this ____ day of _____ 2018.

MAYOR

COUNTY COMMISSIONER (CAO)

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.