

Proposed Draft By-law

The Corporation of the Town of The Blue Mountains

By-Law Number 20XX –

Being a By-law to Delegate the Powers and Duties of the Municipality in Respect of Filing Complaints with the Assessment Review Board

Whereas the Council of The Corporation of the Town of The Blue Mountains may complain in writing to the Assessment Review Board on the basis that the current value of a person's land or another person's land is incorrect, the person or another person was wrongly placed on or omitted from the assessment roll and/or was wrongly on or omitted from the roll in respect of school support, the classification of the person's land or another person's land is incorrect or for land, portions of which are in different classes of real property, the determination of the share of the value of the land that is attributable to each class is incorrect, or on such other basis as the Minister may prescribe pursuant to s.40 and s.40. 1 of the Assessment Act, R.S.O. 1990 c.A. 1, as amended (hereinafter referred to as the "Act");

And Whereas, Council of the Town of The Blue Mountains enacted the "Delegation by Council of Powers and Duties" Policy, being Policy No. POL.COR.07.04 on January 28, 2008, by By-law 2008-10";

And Whereas, Council of the Town of The Blue Mountains held a Public Meeting on February 8, 2021 to receive comments regarding proposed changes to the "Delegation by Council of Powers and Duties Policy, POL.COR.07.04", and has received Staff Report FAF.21.056 "Followup to the Public Meeting for Revisions to the Council Delegation of Powers and Duties" on April 6, 2021;

And Whereas the Council of The Corporation of the Town of The Blue Mountains deems it appropriate to update the delegations made previously through By-law 2003-29 and By-law 2004-35 and enacts this By-Law for the purposes of delegating its duties and discretion with respect to such complaints to the persons named herein;

Now Therefore the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. In this By-law:

"delegate(s)" means any person or person upon whom this By-Law confer the duties and discretion associated with complaints filed with the Assessment Review Board (ARB) under sections 40 and or 40.1 of the Act.

2. All delegates listed in the By-law shall be deemed to be conferred with the duties and discretion noted in section 1 of this by-law.

3. All delegates listed in this By-Law shall be deemed to be authorized to act on behalf of the municipality in respect of exercising said duties and discretion.

4. The following persons are identified as delegates(s) for the purposes of this By-law:

- i. Treasurer, Town of The Blue Mountains, or designate

And Further that, with the enactment of this By-law, that By-laws 2003-29 and 2004-35 are repealed in their entirety.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2021

Alar Soever, Mayor

Corrina Giles, Town Clerk

Tracked Changes

The Corporation of the Town of The Blue Mountains

By-Law Number ~~2004-35~~ 20XX –

Being a By-law to Delegate the Powers and Duties of the Municipality in Respect of Filing Complaints with the Assessment Review Board

Whereas the Council of The Corporation of the Town of The Blue Mountains may complain in writing to the Assessment Review Board on the basis that the current value of a person's land or another person's land is incorrect that it or another person was, in respect of real property, assessed too high or too low, the person or another person was wrongly placed on or omitted from the assessment roll and/or was wrongly on or omitted from the role in respect of school support, the classification of the person's land or another person's land is incorrect or for land, portions of which are in different classes of real property, the determination of the share of the value of the land that is attributable to each class is incorrect, or on such other basis as the Minister may prescribe pursuant to s.40 and s.40. 1 of the Assessment Act, R.S.O. 1990 c.A. 1, as amended (hereinafter referred to as the "Act");

And Whereas, Council of the Town of The Blue Mountains enacted the "Delegation by Council of Powers and Duties" Policy, being Policy No. POL.COR.07.04 on January 28, 2008, by By-law 2008-10";

And Whereas, Council of the Town of The Blue Mountains held a Public Meeting on February 8, 2021 to receive comments regarding proposed changes to the "Delegation by Council of Powers and Duties Policy, POL.COR.07.04", and has received Staff Report FAF.21.056 "Followup to the Public Meeting for Revisions to the Council Delegation of Powers and Duties" on April 6, 2021;

And Whereas the Council of The Corporation of the Town of The Blue Mountains deems it appropriate to update the delegations made previously through By-law 2003-29 and By-law 2004-35 and enacts this By-Law for the purposes of delegating its duties and discretion with respect to such complaints to the persons named herein;

Now Therefore the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. In this By-law:

"delegate(s)" means any person or person upon whom this By-Law confer the duties and discretion associated with complaints filed with the Assessment Review Board (ARB) under sections 40 and or 40.1 of the Act.

2. All delegates listed in the By-law shall be deemed to be conferred with the duties and discretion noted in section 1 of this by-law.

3. All delegates listed in this By-Law shall be deemed to be authorized to act on behalf of the municipality in respect of exercising said duties and discretion.

4. The following persons are identified as delegates(s) for the purposes of this By-law:

i. Treasurer, Town of The Blue Mountains, or designate

~~ii. Municipal Tax Equity Consultants Inc.; and~~

~~iii. Municipal Tax Services — Dennis Doyle~~

And Further that, with the enactment of this By-law, that By-laws 2003-29 and 2004-35 are repealed in their entirety.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2021

Alar Soever, Mayor

Corrina Giles, Town Clerk

CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW No. 2003 - 29

“A By-Law to Delegate the Powers and Duties of the Municipality In Respect of Filing Complaints with the Assessment Review Board”

WHEREAS the Council of the Corporation of the Town of The Blue Mountains may complain in writing to the Assessment Review Board that it or another person was, in respect of real property, assessed too high or too low, was wrongly placed on or omitted from the assessment roll and/or was wrongly on or omitted from the role in respect of school support, pursuant to s.40 and s.40.1 of the *Assessment Act*, R.S.O. 1990 c.A.31, as amended (hereinafter referred to as the “Act”);

AND WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it appropriate to enact this By-Law for the purposes of delegating its duties and discretion with respect to such complaints to the persons named herein.

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1) In this By-Law:

“delegate(s)” means any person or persons upon whom this By-Law confers the duties and discretion associated with complaints filed with the Assessment Review Board (ARB) under sections 40 and or 40.1 of the Act.

2) All delegates listed in this By-Law shall be deemed to be conferred with the duties and discretion noted in section 1 of this by-law.

3) All delegates listed in this By-Law shall be deemed to be authorized to act on behalf of the municipality in respect of exercising said duties and discretion.

4) The following persons are identified as delegate(s) for the purposes of this By-Law:


- i) Treasurer, Town of The Blue Mountains; or
- ii) Municipal Tax Equity Consultants Inc.

5) That the provisions of this by-law shall come into force and take effect as of the 1st day of January, 2003.

Read a first and second time this 31st day of March, 2003.

Read a third time and passed this 31st day of March, 2003.


Ross Arthur, Mayor


Stephen Keast, Clerk

CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW 2004 - 35

A By-Law to amend By-Law No. 2003-29, being a By-Law to Delegate the Powers and Duties of the Municipality In Respect of Filing Complaints with the Assessment Review Board

WHEREAS the Council of the Corporation of the Town of The Blue Mountains passed a By-Law to delegate the powers and duties of the Municipality in respect of filing complaints with the Assessment Review Board on March 31st, 2003;

AND WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it appropriate to add to the list of persons identified as delegates for the purpose of that By-Law:

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

- 1) That Clause 4) of By-Law No. 2003-29 is hereby rescinded and is to be replaced with the following Clause:
 - 4) The following persons are identified as delegate(s) for the purposes of this By-Law:
 - i) Town of The Blue Mountains Treasurer;
 - ii) Municipal Tax Equity Consultants Inc.; and
 - iii) Municipal Tax Services - Dennis Doyle
- 2) That the provisions of this by-law shall come into force and take effect as of the 1st day of January, 2004.

Read a first and second time this 10th day of May, 2004.

Read a third time and passed this 10th day of May, 2004.



Ellen Anderson, Mayor



Stephen Keast, Clerk