

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL**

**BY-LAW NO. 2018-17**

**"A BY-LAW TO DELEGATE ADMINISTRATIVE MATTERS WITH RESPECT TO  
THE ASSESSMENT REVIEW BOARD (ARB) TO THE TREASURER OR HIS/HER  
DESIGNATE"**

**WHEREAS** the Municipal Act 2001, SO 2001, Chapter 25, Section 8(1) states that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

**WHEREAS** the Municipal Act 2001, SO 2001, Chapter 25, Section 8(2) states that in the event of ambiguity, the ambiguity shall be resolved so as to include, rather than exclude, municipal powers that existed before the Municipal Act, 2001 came into force; and

**WHEREAS** the Municipal Act 2001, SO 2001, Chapter 25, Section 9 gives the municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this Act; and

**WHEREAS** Section 227 of the Municipal Act 2001, SO 2001, provides that it is the role of the officers and employees of the municipality to: implement Council's decision; establish administrative practices and procedures to carry out Council's decisions; carry out other duties required under the Municipal Act, 2001, or any other Act, and other duties assigned by the municipality; and

**WHEREAS** Section 39.1(g) of the Assessment Act, R.S.O. 1990, c.A31, as amended (the Assessment Act), provides that where a municipality wishes to object to a settlement arrived at pursuant to Section 39.1(5) of the Assessment Act, it shall do so within 90 days after receiving notice under said Section 39.1(5); and

**WHEREAS** it is expedient that the Council of the Corporation of the Township of Edwardsburgh/Cardinal delegate to the Treasurer or his/her designate, the authority to file complaints to the Assessment Review Board (ARB) relating to requests for reconsideration of assessment on the behalf of the Township of Edwardsburgh/Cardinal, where it is appropriate to do so, in order to safeguard the Township's appeal/complaint rights pursuant to Section 39.1 and Section 40 of the Assessment Act; and

**WHEREAS** it is expedient that the Council of the Corporation of the Township of Edwardsburgh/Cardinal delegate to the Treasurer or his/her designate, the authority to settle all outstanding assessment appeals and requests for reconsideration of assessment, and to execute minutes of settlement in respect of same, where, in the opinion of the Treasurer or his/her designate, it is appropriate to do so;

**NOW THEREFORE** the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. That the Council of the Corporation of the Township of Edwardsburgh/Cardinal hereby authorizes and delegates to the Treasurer or his/her designate, the authority to file complaints to the Assessment Review Board (ARB) relating to requests for reconsideration of assessment on behalf of the Corporation of the Township of Edwardsburgh/Cardinal pursuant to Section 39.1(8) and Section 40 of the Assessment Act.
2. That the Council of the Corporation of the Township of Edwardsburgh/Cardinal delegates authority to attend any mediation or settlement conference on a

property tax or assessment matter as a party to all appeals whether filed by the Township of Edwardsburgh/Cardinal or another person, entity or agent, to the Treasurer or his/her designate.

3. That the Council of the Corporation of the Township of Edwardsburgh/Cardinal delegates authority to attend before the Assessment Review Board (ARB) on property tax or assessment matters as a party to all appeals whether filed by the Township of Edwardsburgh/Cardinal or another person, entity or agent, to the Treasurer or his/her designate.
4. That the Council of the Corporation of the Township of Edwardsburgh/Cardinal hereby authorizes and delegates to the Treasurer or his/her designate, the authority to settle all outstanding assessment appeals and requests for reconsiderations of assessment up to a limit of \$500,000.00, and is further authorized to execute minutes of settlement in respect of same, where, in the opinion of the Treasurer or his/her designate, it is appropriate to do so.
5. That the Council of the Corporation of the Township of Edwardsburgh/Cardinal may authorize the Treasurer or his/her designate, the authority to settle outstanding assessment appeals and requests for reconsiderations of assessment above the \$500,000.00 limit by approval of resolution of Council.
6. That this by-law shall come into force and take effect upon passing.

Read a first and second time in open Council this 26<sup>th</sup> day of March, 2018.

Read a third and final time, passed, signed and sealed in open Council this 26<sup>th</sup> day of March, 2018.

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Mayor



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Deputy Clerk

