

**Municipal District of Fairview No. 136  
Province of Alberta**

**Bylaw No. 995/ADM/2022**

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**A Bylaw of the Municipal District of Fairview No. 136, in the Province of Alberta, to establish a process to send assessment, taxation and other documents by electronic means.**

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**WHEREAS**, Section 608.1 of the *Municipal Government Act*, RSA 2000, Chapter M-26, states that Council may by bylaw establish a process for sending assessment notices, tax notices and other documents and information under Part 9, 10 or 11 of the *Act* or the regulations under Part 9, 10 or 11 by electronic means;

**WHEREAS** before making a bylaw under section 608.1, Council must:

- a) Be satisfied that the proposed bylaw includes appropriate measures to ensure the security and confidentiality of the documents and information being sent; and
- b) Give notice of the proposed bylaw in a manner council considers is likely to bring the proposed bylaw to the attention of substantially all persons that would be affected by it;

**WHEREAS** a bylaw under section 608.1 must provide a method by which persons may opt to receive the notice, document or information by electronic means;

**NOW THEREFORE**, the Council of the Municipal District of Fairview No. 136, duly assembled, enacts as follows:

**1.0 SHORT TITLE**

- 1.1 This Bylaw shall be known as the "Electronic Transmission of Documents Bylaw."

**2.0 DEFINITIONS**

- 2.1 "**Act**" means the *Municipal Government Act*, RSA 2000, c. M-26;
- 2.2 "**Assessed person**" means an assessed person as defined in section 284(1)(a) of the *Act* or a person acting on behalf of an assessed person;
- 2.3 "**Council**" means the Municipal District of Fairview No. 136 Council members;
- 2.4 "**Municipality**" means the municipal corporation of the Municipal District of Fairview No. 136;
- 2.5 "**Customer**" means any person receiving a service from the Municipality;
- 2.6 "**Electronic means**" means electronic mail or e-mail.

**3.0 SCOPE**

- 3.1 The Municipality may send the following by electronic means to an assessed person:
- a) Assessment Notices pursuant to Section 310 of the *Act*;
  - b) Supplementary Assessments pursuant to Section 316 of the *Act*;
  - c) Tax Notices pursuant to Section 333 & 335 of the *Act*;
  - d) Combined Assessment & Tax Notice as described in Section 308(4) of the *Act*;



- e) Tax Arrears Notices;
- f) All documentation relating to the Regional Assessment Review Board process;
- g) Any and all documentation relating to the Recovery of Taxes Related to Land as described in Division 8 of the *Act*;
- h) Any and all documentation relating to the Recovery of Taxes not Related to Land as described in Division 9 of the *Act*;
- i) Any and all documentation relating to the Recovery of Taxes Related to Designated Manufactured Homes in Division 8.1 of the *Act*;
- j) Any and all letters and documentation pertaining to Pre-authorized Debit plans.

3.2 The Municipality may send the following by electronic means to a customer:

- a) Utility Billing;
- b) Accounts Receivable Invoice and Statements;
- c) Cash Receipt showing payment made;
- d) Utility Arrears Notices;
- e) Accounts Receivable Arrears Notices;
- f) Any and all letters pertaining to Utility Billings and Accounts Receivable invoicing and Pre-authorized Debit plans.

#### **4.0 CONSENT**

4.1 Any notice as set out in section 3.1 may be sent by electronic means if the assessed person:

- a) Has provided a personal email address for the notices to be sent to;
- b) Has opted to receive notices by electronic means by completing the prescribed form;
- c) The prescribed form has been signed by the assessed person.

4.2 A person who has opted to receive notices by electronic means may revoke consent at any time by contacting administration and providing documentation of such revocation. This documentation may include:

- a) Electronic mail (e-mail) received by administration from the personal email on the consent form detailing revocation of consent;
- b) Letter signed by the assessed person, whether received by electronic means or otherwise, detailing the request to revoke consent.

#### **5.0 PRESUMPTION OF RECEIPT**

5.1 As indicated in Section 608(2) of the *Act*, a person who opts to receive notices by electronic means is presumed to have received the documentation as indicated in section 3.1, 7 days after it was sent.

#### **6.0 SEVERABILITY**





6.1 If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.

**7.0 EFFECTIVE DATE**

7.1 This bylaw comes into effect upon third reading of this bylaw.

**Read a first time this 13 day of September, 2022.**

  
Philip Kolodychuk, Reeve


  
Robert Jorgensen, CAO

**Read a second time this 11 day of October, 2022.**

  
Philip Kolodychuk, Reeve

  
Robert Jorgensen, CAO

**Read a third time and passed this 11 day of October, 2022.**

  
Philip Kolodychuk, Reeve

  
Robert Jorgensen, CAO