

TOWN OF FORT MACLEOD

BYLAW NO. 1913

Being a bylaw of the Town of Fort Macleod in the Province of Alberta, to establish a process for sending combined assessment notices & tax notices and other notices, documents and information by electronic means.

WHEREAS, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta, 2000, Chapter M-26, and amendments thereto (the "**Act**"), the Council of the Town of Fort Macleod ("**Council**") may by bylaw establish a process for sending combined assessment notices & tax notices and other notices, documents and information under Part 9, 10 or 11 or the regulations under Part 9, 10 or 11 by electronic means;

AND WHEREAS, before making such a bylaw, it is required that Council be satisfied that the proposed bylaw includes measures to ensure the security and confidentiality of any of the information sent;

AND WHEREAS, such a bylaw passed requires Council to 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;

AND WHEREAS, such a bylaw passed by Council must provide for a method by which persons may opt to receive the notice, document or information by electronic means or to revoke that permission;

AND WHEREAS, the sending by electronic means of any notice, document or information under such a bylaw is valid only if the person to whom it is sent has opted under the bylaw to receive it by those means;

AND WHEREAS the Council of the Town of Fort Macleod wishes to pass a bylaw to establish a process for sending combined assessment notices & tax notices, and other notices, documents and information under Parts 9, 10, and 11 of the *Municipal Government Act*;

NOW THEREFORE the Council of the Town of Fort Macleod in Council duly assembled enacts as follows:

SECTION 1 - SHORT TITLE

1.1 This Bylaw may be cited as the "Electronic Communications Bylaw".

SECTION 2 - DEFINITIONS AND INTERPRETATION

2.1 In this Bylaw, unless the context otherwise requires, the following terms when capitalized shall have the following meanings:

- a) **"Assessment and Taxation Communications"** means assessment and tax and Assessment Review Board communications sent out by the Town and may include, but is not limited to:
 - i. Assessment Notices;
 - ii. Tax Notices;
 - iii. Notifications relating to outstanding tax bills; and
 - iv. Other notices, forms and information relating to assessment and tax matters;
- b) **"Assessment Notice"** means an assessment notice as outlined in the Act and can include an amended assessment notice and a supplementary assessment notice but does not include any assessment notice sent by the Provincial Assessor;
- c) **"CASL Act"** means an *Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act*, S.C. 2010, Chapter 23 [often referred to as Canada's Anti-Spam Legislation or "CASL Act"];
- d) **"Electronic Format"** means an electronic method of sending or receiving Communications and can include emails, text messages or a web-based platform;
- e) **"FOIP Act"** means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, Chapter F-25.
- f) **"Provincial Assessor"** means the assessor designated by the Province under the Act;
- m) **"Tax Notice"** means a tax notice sent pursuant to the Act and can include an amended tax notice or a supplementary tax notice; and
- n) **"Taxpayer"** means a taxpayer as defined in the Act;
- o) **"Town"** means the municipal corporation of the Town of Fort Macleod or the area contained within the boundary thereof as the context requires.

SECTION 3 - COMMUNICATING BY ELECTRONIC FORMAT

Opting In

- 3.1 A taxpayer may opt in to receive Assessment and Taxation Communications by Electronic Format by filling out the application form (Schedule "A").
- 3.2 When opting in to receive Assessment and Taxation Communications, a Taxpayer must ensure the email address they have provided in the application remains current and is updated promptly upon any change in such email address.

Opting Out

- 3.3 If a Taxpayer is receiving Assessment and Taxation Communications in an Electronic Format and wishes to withdraw their consent, they must contact the Town via telephone or email and cancel this in writing to indicate they no longer consent to receive Assessment and Taxation Communications by ElectronicFormat by filling out the form (Schedule "B").
- 3.4 A Taxpayer shall be deemed to have opted out if the Town becomes aware that Assessment and Taxation Communications delivered by an Electronic Format are being returned as undeliverable, are otherwise being rejected.
- 3.5 A Taxpayer shall be deemed to have opted out if the Town becomes aware that a property has transferred ownership. The taxpayer must complete a new application when there is a change in ownership.

SECTION 4 - PROTECTION OF TAXPAYER INFORMATION

- 4.1 Any information collected from Taxpayers through Assessment and Taxation Communications using an Electronic Format shall only be used for purposes associated with the taxation & assessment functions of the Town in accordance with the requirements of the Act, and its associated regulations.
- 4.2 Any information collected from a Taxpayer shall be protected in accordance with the provisions of the FOIP Act.
- 4.3 The Town shall ensure that the requirements of the CASL Act are met when a Taxpayer opts in, opts out, or receives Assessment and Taxation Communications in an Electronic Format.
- 4.4 Communication through an Electronic Format with a Taxpayer shall only take place through an email address as provided by the Taxpayer under section 3.2.
- 4.5 Once a Taxpayer has opted out, or has been deemed to have opted out under section 3.4, 3.5 or 3.6, the Town shall no longer send Communications through an Electronic Format and shall send future Communications about a property to the last known mailing address of the Taxpayer, as listed in Town assessment records.

SECTION 5 - GENERAL PROVISIONS

- 5.1 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 5.2 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.

- 5.3 Headings or sub-headings in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
- 5.4 Where this Bylaw refers to another act, bylaw, regulation or agency, it includes reference to any act, bylaw, regulation or agency that may be substituted, therefore.
- 5.5 This Bylaw shall come into full force and effect upon execution.

Read a first time this 11th day of May, 2020.

Read a second time this 11th day of May, 2020,

Read a third time and finally declared passed this 11th day of May, 2020.



Mayor



Chief Administrative Officer



Bylaw 1913 – Schedule “A”

GO PAPERLESS

The Town of Fort Macleod offers paperless e-statements for Tax Notices.
Help the Town protect the environment by signing up. To sign up complete the form below.

TOWN OF FORT MACLEOD ♦ E-STATEMENT SERVICE AGREEMENT

Name of Registered Title Owner(s)

Phone Number

E-Mail Address – PLEASE PRINT CLEARLY

Property Tax Roll Number(s) – (List all tax rolls you would like to receive e-statements for)

Property or Service Address(es)

By signing below I signify that I, the owner, have read and agree to the terms as follows:

- The e-notices for property taxes will be provided to the subscriber via email, as a PDF attachment, to the email address listed above.
- It is the owners' responsibility to provide the correct email address to the Town and to inform the Town, in writing, of any changes to that address.
Non-receipt is not justification for late payment (and penalties will NOT be waived as a result).
- When you agree to the terms and conditions of this service you will no longer receive a paper copy.

Signature of Registered Title Owner

Date

ADDITIONAL INFORMATION

PAYMENT OPTIONS

- By pre-authorized debit. Forms are available on the Town's website at www.fortmacleod.com or at the Town Office
 - For pre-authorized debit payments for taxes, you must sign up for the Tax Installment Payment Plan (T.I.P.P.) program. The application along with your bank information must be submitted to the Town Office prior to December 20th of the current year, in order to sign up for the following year.
Your tax account must be at zero balance in order to sign up for TIPP.
- Online bill pay or telephone banking with your bank. Search "Fort Macleod" for the payee and there should be separate options for "Town of Fort Macleod – Tax Payments" and "Town of Fort Macleod – Utilities". **Select "Tax Payments"** and enter your **seven (7) digit tax roll number** for the property the payment is being made to.
- In person at the Town Office by cash, cheque, money order or debit.
The Town does NOT accept credit card payments for Taxes.
- Mailed or dropped in the mail slot located at the main entrance at the Town Office by cheque or money order with the remittance portion of your statement (printed).

Note: Payments that do not clear due to insufficient funds are subject to additional penalties.

PLEASE RETURN THIS FORM TO: tax@fortmacleod.com or Fax: 403-553-2426

Drop off at: 410 – 20 ST, Fort Macleod

Mail to: Town of Fort Macleod, Box 1420, Fort Macleod, AB T0L 0Z0

The personal information on this form is being collected to provide paperless statements for property tax accounts and is authorized under section 33(b) of the Freedom of Information and Protection of Privacy Act. The personal information will be managed in compliance with the Freedom of Information and Protection of Privacy Act. If you have any questions concerning the collection of this personal information, please contact the CAO, Sue Keenan, at 403-553-4425



Bylaw 1913 – Schedule “B”

REVOKE E-STATEMENT NOTICE

To revoke your e-statement notice complete the form below.

TOWN OF FORT MACLEOD ♦ E-STATEMENT REVOCATION AGREEMENT

Name of Registered Title Owner(s)

Phone Number

E-Mail Address to Be Revoked – PLEASE PRINT CLEARLY

Property Tax Roll Number(s) – (List all tax rolls you would like to **STOP** e-statements for)

Property or Service Address(es)

By signing below, I signify that I, the subscriber, am unsubscribing from receiving e-statements for notices of property taxes. I understand that:

- I will no longer receive notices via email.
- I will receive notices via mail to the address registered on title.
- It is the assessed person’s responsibility to ensure the title is updated with the proper mailing address.

Signature of Registered Title Owner

Date

PLEASE RETURN THIS FORM TO: tax@fortmacleod.com or Fax: 403-553-2426

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Mail to: Town of Fort Macleod, Box 1420, Fort Macleod, AB T0L 0Z0

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