



AGENDA
Bentley Town Council
Tuesday April 9, 2024
6:30pm Regular Meeting of Council

1. Call to Order

2. Indigenous Acknowledgement

“We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands.”

3. Amendments & Acceptance of Agenda

4. Adoption of Previous Minutes:

- a) Regular Meeting of Council March 26, 2024**

5. Financial:

- a) Prepaid Cheque Listing – Cheques No. 20240209 to 20240265**

6. Unfinished Business

- a) Monkey Top – Rebate of Mutual Aid Response (potential Time Limitation)**

7. New Business

- a) Delegation BGC – Wolf Creek**
- b) Assessment Audit Report (2022 Roll – 2023 Tax Year)**

8. Correspondence

- a) Reminder (annexation public meeting April 18, 2024 – Bentley Southeast Area Structure Plan)**
- b) Letter from MP Sean Fraser**

9. Other Business

10. Council Reports

- a) Mayor Rathjen
- b) Deputy Mayor Grimsdale
- c) Councillor Eastman
- d) Councillor Hansen
- e) Councillor Valiquette

11. Adjournment



Minutes of the Regular of the Council of the Town of Bentley

March 26, 2024

Date and Place Minutes of the Regular Meeting of the Council of the Town of Bentley held Tuesday, March 26, 2024, at 6:30 p.m., in the Bentley Municipal Office.

In Attendance Mayor Greg Rathjen
Deputy Mayor Grimsdale
Councillor Valiquette
Councillor Eastman
Councillor Hansen
CAO, Marc Fortais

Call to Order

Regular Meeting Mayor Rathjen called the regular council meeting to order at 6:30pm

Indigenous Acknowledgement "We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands."

Read by Mayor Rathjen

Agenda

Motion 71/2024 Moved by Councillor Hansen, "THAT the agenda of the March 26, 2024, Regular Meeting of Mayor and Council be amended to include a brief discussion and update from Mayor Rathjen regarding the Gull Lake Watershed."

Carried

Motion 72/2024 Moved by Deputy Mayor Grimsdale, "THAT the agenda of the March 26, 2024, Regular Meeting of Mayor and Council be amended to include an update regarding the donation received and set aside for the construction of a future soccer field."

Carried

Motion 73/2024 Moved by Councillor Hansen, "THAT the amended agenda of the March 26, 2024, be accepted."

Carried

Previous Minutes

Motion 74/2024 Moved by Deputy Mayor Grimsdale, "THAT the minutes of the March 12, 2024, Regular Meeting of Council be accepted."

Carried

Financial

a) Prepaid Cheque Listing – Cheques No. 20240167 to 20240208

Motion 75/2024 Moved by Councillor Eastman, "THAT Cheques No. 20240167 to 20240208 be received for information."

Carried

New Business

a) Delegation Susan Samson – Sylvan Lake Urgent Care Health Foundation

Presentation was given to Mayor and Council regarding the formation of the Sylvan Lake Urgent Care Health Foundation and the Ask from Susan Samson for Town of Bentley to joint the Foundation.

No decision was made regarding this but will be determined at a future council meeting.

Motion 76/2024 Moved by Deputy Mayor Grimsdale, "THAT the presentation given by Susan Samson regarding the Sylvan Lake Urgent Care Foundation be received as information."

Carried

b) Bentley Arena Ice Plant Replacement

Motion 77/2024 Moved by Councillor Hansen, "THAT Mayor and Council authorize CAO Marc Fortais to award a contract to Red Deer Heating and Refrigeration to construct a new ice plant for the Bentley Arena to a maximum value not to exceed \$802,317.05; AND

THAT this will include all costs including any required engineered drawings, reviews, permitting and code compliance, and ground preparation for the site; AND

THAT CAO Marc Fortais formally request and secure a grant from Lacombe County for 50% of the funding to support the utilization of the facility by county residents; AND

THAT should Lacombe County not approve funding to support the ice plant, that CAO Marc Fortais, undertake to obtain debenture funding to support the ice plant replacement to be paid back through future LGFF and/or CCBF Grant Funding in 2025; AND

THAT the remainder of the funds for the project be allocated from 2024 LGFF and/or CCBF Grant funding.”

Carried

Correspondence

- a) **Lacombe County Council Highlights – Regular Meeting March 14, 2024**
- b) **Lacombe County Council Highlights – Special Meeting March 14, 2024**
- c) **Lacombe County – Volunteer Farm Vehicle Checks**
- d) **Assessment Model Review – Minister Ric McIver**

Motion 78/2024 Moved by Councillor Valiquette, “THAT correspondence item a) to d) be accepted as information.”

Carried

Other Business

a) Urban Hens

Councillor Hansen shared some information with Mayor and Council regarding other communities that have programs to support Urban Hens. She also mentioned a desire to amend the animal control bylaw to include language that would allow urban hens within the Town of Bentley. Currently the bylaw only allows hens on parcels larger than 1 acre. Mayor Rathjen indicated that items such as this, should be added within the upcoming strategic planning and goal setting to not create additional burden on administration currently with the current priorities.

Motion 79/2024 Moved by Councillor Hansen, “THAT an objective to review the Animal Control Bylaw to include urban hens be considered as part of the strategic planning process.”

Carried

b) Gull Lake Watershed

Mayor Rathjen indicated he continues to attend these meeting and is working with the committee to look at how Bentley best serves on that committee. He indicated that he would report back in the future regarding this. No motion was made regarding this topic.

c) Soccer Donation Update

Deputy Mayor Grimsdale asked administration what we were doing regarding recognition of the donation. Administration indicated it was the understanding that the donation was to remain anonymous at present and this had been confirmed previously. Deputy Mayor Grimsdale indicated that this was not what was being communicated to him and his understanding was different. He advised that administration may want to follow up with the party to understand if they want some form of recognition. Administration agreed to do so. No motion was made regarding this topic.

Adjournment

Mayor Rathjen adjourned the March 26, 2024, Regular Council Meeting at 7:45pm

Mayor Greg Rathjen

CAO Marc Fortais



TOWN OF BENTLEY

Cheque Listing For Council

Cheque		Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
Cheque #	Date					
20240209	2024-03-21	RED DEER HEATING & REFRIGERATION	1848 1853	PAYMENT ARENA ICE PLANT LABOUR & M/ ARENA ICE PLANT MATERIAL & I	4,517.76 581.70	5,099.46
20240210	2024-03-21	TRANSALTA ENERGY MARKETING	24-1344430 24-1344454	PAYMENT STREET LIGHTING FOR FEBRUA ELECTRICITY BILL FOR FEBRUA	6,419.90 10,114.46	16,534.36
20240211	2024-03-28	CARSON, BARBARA J				
20240212	2024-03-28	JENSEN, DARREN J				
20240213	2024-03-28	MEREDITH, SANDRA L				
20240214	2024-03-28	GIBSON, COLE C				
20240215	2024-03-28	DENNEHY, NATHAN				
20240216	2024-03-28	GREAVES, LORYANNE				
20240217	2024-03-28	FORTAIS, MARC C				
20240218	2024-03-28	KIKSTRA, ROBERT B				
20240219	2024-03-28	LOOV, CHRISTOPHER D				
20240220	2024-03-26	RECEIVER GENERAL	108175845RP0C	PAYMENT REDUCED EMPLOYMENT INSUR	2,666.80	2,666.80
20240221	2024-03-27	327241 ALBERTA LTD.	1276	PAYMENT ANIMAL CONTROL SERVICES FC	1,207.50	1,207.50
20240222	2024-03-27	ADT SECURITY SERVICES CANADA INC.	33747941	PAYMENT PUMPHOUSE SECURITY	31.50	31.50
20240223	2024-03-27	AIR LIQUIDE CANADA INC.	31899487	PAYMENT PW SHOP WELDING GAS	398.66	398.66
20240224	2024-03-27	BENTLEY I.D.A. PHARMACY	1-438924 1-438928	PAYMENT BATTERIES FOR PUMPHOUSE BATTERIES FOR PUMPHOUSE E	41.99 (14.71)	27.28
20240225	2024-03-27	BIG HILL SERVICES	33207	PAYMENT ARENA MACHINERY PARTS	113.06	113.06
20240226	2024-03-27	EMPRINGHAM DISPOSAL CORP.	60909	PAYMENT RECYCLING FOR FEBRUARY	2,905.88	2,905.88
20240227	2024-03-27	MCLAREN, CAROLYN	201	PAYMENT FAMILY PROGRAMMING FOR MA	624.00	624.00
20240228	2024-03-27	PARKLAND COMMUNITY PLANNING SERVICES	22201 22202	PAYMENT DAY TO DAY DAY TO DAY	1,590.00 1,072.50	2,662.50
20240229	2024-03-27	RATHJEN, GREG	29022024 29022024	PAYMENT REIMBURSEMENT MILEAGE COI REIMBURSEMENT MILEAGE MEI	18.88 16.52	35.40
20240230	2024-03-27	RIMBEY EXPRESS	3372	PAYMENT WATER SAMPLES & RETURNS	110.00	110.00
20240231	2024-03-27	SYLVAN LAKE SUMMER HOCKEY CAMP LTD	31032024	PAYMENT ARENA CARETAKER MARCH PAY	10,500.00	10,500.00
20240232	2024-03-27	TAXERVICE	02292024	PAYMENT TAXERVICE PAYMENT FOR FEBF	3,921.75	3,921.75
20240233	2024-03-27	THOMPSON, JACK	26032024	PAYMENT ARENA - REIMBURSEMENT AREI	727.43	727.43
20240234	2024-03-27	RED DEER OVERDOOR	40007	PAYMENT ARENA - REPLACED COMMERCIAL	6,600.30	6,600.30



TOWN OF BENTLEY

Cheque Listing For Council

Cheque #	Cheque Date	Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
20240235	2024-04-03	HOLDEN, KARI		PAYMENT		540.00
			31032024	SENIOR'S DROP IN JANITORIAL	60.00	
			31032024.	OFFICE JANITORIAL FOR MARCI	195.00	
			6	JANITORIAL BENTLEY FIREHALL	240.00	
			MAR3124	BASEMENT JANITORIAL FOR MA	45.00	
20240236	2024-04-03	PIKE, KATHY		PAYMENT		27.28
			28032024	LITTLE CHEFS SUPPLIES	27.28	
20240242	2024-04-04	1704567 ALBERTA LTD.		PAYMENT		264.60
			808	CURLING RINK & ARENA BAIT TF	132.30	
			854	CURLING RINK & ARENA BAIT TF	132.30	
20240243	2024-04-04	ALSCO UNIFORMS		PAYMENT		218.48
			LEDM2317717	ARENA - MATS CHANGEOUT FOI	109.24	
			LEDM2322323	ARENA - MAT'S CHANGEOUT FO	109.24	
20240244	2024-04-04	BIG HILL SERVICES		PAYMENT		43.73
			33248	ARENA BUILDING MAINTENANCE	43.73	
20240245	2024-04-04	BUNZL CLEANING & HYGIENE		PAYMENT		1,228.72
			139422	CAMPGROUND JANITORIAL SUF	774.03	
			139507	ARENA - TOWEL ROLLS	289.21	
			139522	SCHOOL-TOWN CLEAN UP GARI	165.48	
20240246	2024-04-04	CARSON, BARB		PAYMENT		84.96
			01042024	MILEAGE REIMBURSEMENT	84.96	
20240247	2024-04-04	CATALIS TECHNOLOGIES CANADA LTD.		PAYMENT		105.00
			INV308315563	AR LICENSE - ADDED 50	105.00	
20240248	2024-04-04	CENTRAL SHARPENING LTD.		PAYMENT		126.00
			30729	ARENA - SHARPEN ICE KNIFE	126.00	
20240249	2024-04-04	CHAPMAN RIEBEEK LLP		PAYMENT		2,998.01
			2403010	DESCRIPTION OF SERVICE - J. E	33.60	
			2403029	GENERAL MATTERS - J. BOPARI	2,964.41	
20240250	2024-04-04	EMPRINGHAM DISPOSAL CORP.		PAYMENT		1,907.33
			61617	RECYCLING FOR MARCH 2024	1,907.33	
20240251	2024-04-04	GREGG DISTRIBUTORS LP		PAYMENT		336.40
			059-623710	PARKS & REC LED BEACON LIGH	227.54	
			059-624974	PW SHOP JANITORIAL & GENER	108.86	
20240252	2024-04-04	INNOV8, DIGITAL SOLUTIONS INC.		PAYMENT		766.03
			IN478576	FCSS PHOTOCOPIER	7.36	
			IN479824	NN NOTES & OFFICE PHOTOCO	758.67	
20240253	2024-04-04	LACOMBE COUNTY		PAYMENT		4,222.63
			IVC00044671	FIRE INSPECTION- CURLING CLI	2,430.76	
			IVC00044712	FIRE INSPECTION 4929 50 AVEN	504.01	
			IVC00044779	FIRE DEPT TRAINING & FIRE RE:	1,287.86	
20240254	2024-04-04	LACOMBE REGIONAL WASTE SERVICES COMM		PAYMENT		16,851.25
			37838	2024 FIRST QUARTER REQUISIT	16,851.25	
20240255	2024-04-04	OUTLAW ELECTRIC LTD.		PAYMENT		191.02
			10013	PARKS & REC	191.02	
20240256	2024-04-04	PARKLAND COMMUNITY PLANNING SERVICES		PAYMENT		874.50
			22224	DAY TO DAY	709.50	
			22225	DAY TO DAY	165.00	
20240257	2024-04-04	RECEIVER GENERAL		PAYMENT		22,178.53
			31032024	REDUCED EMPLOYMENT INSUR	21,844.11	
			31032024.	REGULAR EMPLOYMENT INSUR	334.42	
20240258	2024-04-04	RIMBEY EXPRESS		PAYMENT		110.00
			3406	WATER SAMPLES & RETURNS F	110.00	
20240259	2024-04-04	SHAW CABLE		PAYMENT		173.25
			12032024	OFFICE INTERNET 12-APR-24 TC	173.25	



TOWN OF BENTLEY

Cheque Listing For Council

Cheque		Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
Cheque #	Date					
20240260	2024-04-04	STRAND MEDIA CORPORATION	71951	PAYMENT FULL ZIP JACKET - CHRIS	131.25	131.25
20240261	2024-04-04	TAXERVICE	31032024	PAYMENT TAXERVICE BILL FOR MARCH	482.25	482.25
20240262	2024-04-04	UNFUSSY INC.	1007-225	PAYMENT WEBSITE HOSTING CERTIFICAT	420.00	420.00
20240263	2024-04-04	WASTE CONNECTIONS OF CANADA INC.	7425-00002618	PAYMENT COMMERCIAL WASTE PICK UP F	1,485.28	1,485.28
20240264	2024-04-04	WILD ROSE ASSESSMENT SERVICES	9339	PAYMENT PROGRESS PAYMENT FOR APRI	1,330.88	1,330.88
20240265	2024-04-04	WOLF CREEK BUILDING SUPPLIES	639822	PAYMENT ARENA - BUILDING MAINTENANC	179.90	468.57
			641929	ARENA MAINTENANCE BUILDINC	98.01	
			643293	ARENA BUILDING MAINTENANC	168.63	
			644520	ARENA BUILDING MAINTENANC	22.03	

Total 130,643.51

*** End of Report ***



Agenda Date: April 9, 2024

Agenda Item: Unfinished Business – Monkey Top - Rebate of Mutual Aid Response (potential time limitation)

LEGISLATIVE REQUIREMENT/AUTHORITY

The Municipal Government Act (MGA), RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, as amended, Division 1 provides the Council of a Municipality may pass By-laws for the safety, health and welfare of people and the protection of people and property. Further, section 553(1)(g) and 553(2) of the MGA also allows for the transfer or any unpaid costs of fire extinguishment to be added to the tax roll if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on a parcel.

Further Bylaw 128/2008 a bylaw of the Town of Bentley in the Province of Alberta to provide for the establishment and operation of a volunteer fire department and to provide for the protection and preservation of life and property within the Town of Bentley, was passed on August 12th, 2008.

October 14, 2014, Policy 50-2014 Bentley District Fire Department Fire Protection and Emergency Response, Part C – Charges for Fire and Emergency Response Equipment and Personnel was approved. The policy also provides guidance for rates and costs that can be recovered in relation to fire and emergency response equipment and personnel.

SUMMARY AND BACKGROUND

On March 12, 2024, the Town of Bentley Mayor and Council made a motion to issue an invoice to the property owner of the monkey top, with a condition that should the monkey top choose to rebuild, that the amount of the invoice could be refunded. The refund would be contingent upon a final occupancy permit being approved and issued once construction is completed. The council report from the March 12, 2024, meeting is attached to this report as **(Attachment #1)**.

The motion approved is as follows:

“Motion 67/2024 Moved by Councillor Valiquette, “THAT Mayor and Council authorize CAO Marc Fortais to issue an invoice to the property owner of the property located at 5002 50th Ave (Lot 4, Block 18, Plan 5085 ET) in the amount of \$40,439.27; AND

THAT the invoice to be issued is intended to recover costs of fire response **(staff time and equipment costs invoiced to the Town of Bentley by Lacombe County)** throughout January 2024 and in relation to the Monkey Top Fire, which occurred on said property and for which the recoverable costs have been charged in accordance with Bylaw 128/2008 from the Town of Bentley and Bylaw 1337/21 Lacombe County; AND

THAT if the invoice remains unpaid after 120 days, the amount be transferred to the associated property tax account in accordance with the Municipal Government Act, RSA 2000, Chapter M-26 of the revised Statutes of Alberta, Section 553 (1)(g); AND

THAT if the current owner of the Monkey Top moved forward to rebuild the Monkey Top or a similar business, the Town of Bentley will refund the amount of \$40,439.27 **(the fire response costs recovery invoiced)**; AND

THAT this amount only be refunded when a final occupancy permit has been approved and issued.”

Carried

Although the motion is fair and equitable, and recovers the costs associated to the bill that the Town of Bentley will receive for mutual aid and provides a refund if and when the current owner chooses to rebuild, it is not limited by time.

Administration is recommending that the motion be modified to include a time limit to undertake the rebuilding, so that the refund of the cost recovery for mutual aid is an incentive to rebuild as quickly as possible and is tied to a time limit. This time limit could be one year, two years or whatever Council feels is a reasonable amount of time. The idea behind the refund is that it will not create an excess burden for taxpayers, because the taxes generated by a rebuild will offset the costs of the refund to the local taxpayer. The rebuild in itself will result in additional taxes, compared to what was previously collected on the old building.

ADMINISTRATION RECOMMENDATION

Recommended Motion:

Motion #67/2024, be amended by an additional motion to add the requirement to rebuild within a certain time limit as follows:

“THAT in order for the current owner of the Monkey Top to be eligible to receive a refund of \$40,439.27 for charges related to cost recovery of mutual aid in relation to the Monkey Top Fire, the invoice must be paid in full; AND

THAT the current owner of the Monkey Top must complete the construction of a new building and be issued a final occupancy permit, within two years from the date that the Town of Bentley issued the invoice.”

ATTACHMENTS

- 1) **March 12, 2024, Council Report – Monkey Top Fire 2024 Cost Recovery and Attachments**

Marc Fortais, CAO



Agenda Date: March 12, 2024

Agenda Item: New Business: Monkey Top Fire 2024 – Cost Recovery

LEGISLATIVE REQUIREMENT/AUTHORITY

The Municipal Government Act (MGA), RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, as amended, Division 1 provides the Council of a Municipality may pass By-laws for the safety, health and welfare of people and the protection of people and property. Further, section 553(1)(g) and 553(2) of the MGA also allows for the transfer or any unpaid costs of fire extinguishment to be added to the tax roll if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on a parcel.

Further Bylaw 128/2008 a bylaw of the Town of Bentley in the Province of Alberta to provide for the establishment and operation of a volunteer fire department (**Attachment #1**) and to provide for the protection and preservation of life and property within the Town of Bentley, was passed on August 12th, 2008.

October 14, 2014, Policy 50-2014 Bentley District Fire Department Fire Protection and Emergency Response, Part C – Charges for Fire and Emergency Response Equipment and Personnel (**Attachment #2**) was approved. The policy also provides guidance for rates and costs that can be recovered in relation to fire and emergency response equipment and personnel.

SUMMARY AND BACKGROUND

On January 16, 2024, at approximately 1:30am, first responders from the Bentley Fire Department responded to a fire at the Monkey Top Saloon in Bentley. Fire Fighting efforts were supported by Bentley, Lacombe County, City of Lacombe, Blackfalds, and Eckville Fire Departments.

It was a sad day for Bentley, as we lost another important historical building in the community. Just over a year ago we also experienced the loss of the iconic grain elevator and on January 16th we lost the Monkey Top.

The original building Putland and Thorp site was destroyed by fire in 1919. The gentleman who owned that store was Archie Putland and Frank (Cappy) Thorp. Cappy was the first Mayor when Bentley was first incorporated into a village in 1915. The Putland and Thorp building was replaced by the Bentley Co-Operative under the management of Mr. Bolton, and lastly by Chas MacDougall. The business was sold to WM. A Holmes in 1933 and operated as Bentley Mercantile. The building stood for many years and most recently, until January 16, 2024, as the Monkey Top a staple for residents, tourists, and visitors regardless of if they were the leather worn, done it all biker or the time worn seen it all senior or families having a meal with their kids after checking out the amazing businesses or farmers market in Bentley. It was a place of celebration for our hockey and ball teams and for the parents who drive their kids to and from games and practices. The Monkey Top was not just a place to gather, but

a place where it did not matter what your background or style is. It was a place of spirited declaration of independence and togetherness.

The property owner has worked hard to ensure that the site was cleaned up in a timely manner, while working with their insurance to address their settlement and claim. The Town of Bentley would like to thank the property owner for working with their insurance company to undertake the cleanup efforts diligently and as quickly as possible. The loss of the Monkey Top is significant to the community and to the property owner.

Policy 50/2014 – Bentley District Fire Department Fire Protection and Emergency Response was adopted and approved on October 14, 2014. The policy provides some guidance regarding rates of charge for fire and emergency response equipment and personnel responding to a fire.

The policy is also written in such a way, that it is not clear:

Part C – Charges for Fire and Emergency Response Equipment and Personnel states:

- a) Subject to the exceptions listed, nor charge will be made for fire or emergency responses to residents and ratepayers of the Town of Bentley, Lacombe County, and other municipalities of which a mutual aid agreement is in effect.*
- b) A charge will be levied for responses involving;
 - i. a motor vehicle accident
 - ii. a fire or emergency response involving a railway or originating on a railway right of way.
- c) The rate of charge for fire and emergency response equipment referred to in Section b) is as follows:

i.	Town or County Engine	\$500.00 per hour
ii.	Rescue Truck	\$500.00 per hour
iii.	Equipment & supplies other than the Engine or Rescue Truck	costs plus. 15% administration
iv.	Personnel other than Fire Department Members	costs plus 15% administration
- d) The rate of charge referred to in Section c) above shall be applied for the period commencing from when the vehicles and equipment leave the firehall until the vehicles and equipment are back in the fire hall and deemed to be in service, rounded up to the next one-half hour.
- e) At the discretion of the Chief Administrative Officer;
 - i. The charge levied for response may be adjusted based on the level of service provided at the incident.
 - ii. Other costs may be charged for items including but not limited to:

- Replacement of basic supplies such as foam

- Means and refreshments for the firefighters.
- Equipment fuel costs
- Lost of damaged equipment and protective clothing
- Fire investigation costs.
- Specialty services

It should be noted that there is no formalized mutual aid agreement in place. There are partnership agreements such as LREMP, but they do not specifically outline fees and charges for mutual aid.

Part C item a above is intended to mean that residents and ratepayers of Lacombe County and Town of Bentley will not be charged for emergency response equipment and personal responding to a fire if a mutual aid agreement exists. There is no record in Bentley or Lacombe County of any mutual aid agreement being established. In addition, section e indicates that at the discretion of the CAO a charge may be levied for response and adjusted based on the level of service provided at the incident.

Administration has reviewed Lacombe County's Fire Services Bylaw 1337/21 (**Attachment #3**), under section 15. Recovery of Costs it states:

15.1 Where a fire department has taken any action whatsoever for the purposes of providing fire protection and emergency response services in or outside of the County, the County may charge any fees and costs so incurred to any or all of the following persons, namely;

- a) the person or persons causing or contributing to the fire; or
- b) the owner or occupant of the parcel of land or any other thing in respect to which the action was taken.

and all other persons charged are jointly and severally liable for payment of fees and costs to the County.

An additional review of other communities in the area was also undertaken, to understand if they too bill in these situations and if they would seek reimbursement of cost for fire response from a private landowner or their insurance for fires that occur on their private property. In some cases, municipalities would not bill and would cover all associated response costs through taxation. The following were the municipalities we checked with:

City of Lacombe	Bills for responses – uses provincial rate table for equipment charges.
Town of Eckville	Policy in place to bill – would determine if fire were in town.
Town of Sylvan Lake	Has not billed for mutual aid in past.
Village of Alix	Bill for response according to established policy
Village of Clive	Bills for response according to established policy
Town of Rimbey	Not responsible for fire services costs until 2030 – Ponoka County handles fire services. Ponoka County does not bill from what they understand.

Administration also followed up with Rob de Pruis (National Director, Consumer & Industry Relations with the Insurance Bureau of Canada. Mr. de Pruis indicated that although they are seeing a rising trend in municipalities that are billing for structure fire response costs, these are a minority across Canada. He indicated that typically if a business or residence is insured for fire response costs, there is typically an upper limit on the amount that can be paid. In instances where a large bill goes to the property owner, it can have an unintended consequence of impacting the claims ratings and cause insurance premiums to rise within a community if there is an insurance payout for those costs. However, administration has provided this report in alignment with the established bylaw and policy that provides direction to prepare a bill for the response to the property owner.

FINANCIAL

Charges Billed by Lacombe County (Invoiced to the Town of Bentley)

Lacombe Fire Department Charges (January 16 & 17, 2024)

Pumper/Ladder Unit #4 (8hrs @ \$700.00)	\$5,600.00	
Utility #2 (8 hrs. @ \$205.00)	\$1,640.00	
Tender #3 (12.5 @ \$700.00)	\$8,750.00	
Tower #1 (11.75 @ \$700.00)	\$8,225.00	
Pumper/Ladder Unit #4 (1.75 @ \$700.00)	<u>\$1,225.00</u>	
Total Lacombe County Charges		\$25,440.00

Blackfalds Personnel Charges (21 hours total)

Fire Chief (3hrs @ \$35.77)	\$ 107.31	
Captain 1 (7.50 @ \$31.42)	\$ 235.65	
Class A Firefighter 1 (7.50 @ \$26.69)	\$ 200.18	
Probationary Firefighter (3.00 @ \$17.40)	<u>\$ 52.20</u>	
Total Blackfalds Charges		\$ 595.34

DB Bobcat Charges (Hoe & Excavator)

Hoe Mobilization (1 hr @ \$300.00)	\$ 300.00	
John Deere Exca (11 hr @ \$185.00)	\$2,035.00	
GST	<u>\$ 116.75</u>	
Total DB Bobcat Charges		\$ 2,451.75

Bentley Fire Personnel

\$ 6,827.18

Eckville Fire

Tender (10.25 hrs @ \$500.00)		<u>\$ 5,125.00</u>
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Total Charges Billed by Lacombe County

\$40,439.27

Equipment Time Town of Bentley

January 16, 2024

Engine (14.50 hrs @ \$500.00)	\$7,250.00	
Rescue (14.50 hrs @ \$350.00)	\$5,075.00	
Rapid (14.50 hrs @ \$350.00)	\$5,075.00	
Command (14.50 hrs @ \$350.00)	\$5,075.00	
Engine (1.50 hrs @ \$500.00)	\$ 750.00	
Rescue (1.50 hrs @ \$350.00)	<u>\$ 525.00</u>	
Total January 16, 2024, Additional Equipment		\$23,750.00

January 17, 2024		
Engine (1.50 hrs @ \$500.00)	\$	750.00
Rapid (1.50 hrs @ \$350.00)	\$	525.00
Engine (2.50 hrs @ \$500.00)	\$	1,250.00
Rapid (2.50 hrs @ \$350.00)	\$	875.00
Command (2.50 hrs @ \$350.00)	\$	<u>875.00</u>
Total January 17, 2024, Additional Equipment	\$	4,275.00

January 23, 2024		
Rapid (6.00 hrs @ \$350.00)	\$	<u>2,100.00</u>

Total Equipment Time Town of Bentley **\$30,125.00**

TOTAL RECOVERABLE COSTS (Based on actual calculations) **\$70,564.27**

ADMINISTRATION RECOMMENDATION

Due to the lack of clarity in the policy regarding billing for Bentley Fire Department response and time, Administration is recommending that no time be billed for Bentley fire Equipment. This would mean that \$30,125.00 as outlined above will not be billed. Administration is only recommending that the amount charged and billed by Lacombe County for mutual aid costs, which also includes paid volunteer time for Bentley Fire fighters be charged, this amounts to a bill of \$40,439.27.

Recommended Motion:

THAT Mayor and Council authorize CAO Marc Fortais to issue an invoice to the property owner of the property located at 5002 50TH Ave (Lot 4, Block 18, Plan 5085ET) in the amount of \$40,439.27 AND

THAT the invoice to be issued is intended to recover costs of fire response (**staff time and equipment costs invoiced to the Town of Bentley by Lacombe County**) throughout January 2024, and in relation to the Monkey Top Fire, which occurred on said property and for which the recoverable costs have been charged in accordance with Bylaw 128/2008 from the Town of Bentley and Bylaw 1337/21 Lacombe County; AND

THAT the amount invoiced and payable by the property owner be payable within 120 days from the date of issue of the invoice; AND

THAT if the invoice remains unpaid after 120 days, the amount be transferred to the associated property tax account in accordance with the Municipal Government Act, RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, Section 553(1)(g)

ALTERNATIVES

- 1) Mayor and Council could consider offering a refund or rebate of all or a portion of the amounts billed, tied to a development permit. Should the existing owner of the Monkey top consider rebuilding. This would mean that if a development permit is applied for, a condition of that permit could include a refund of all, or a portion of the amount billed in relation to the Fire response for the Monkey Top specifically tied to the issuance of an occupancy permit for the reopening of the building. The logic for this is that future taxes would pay for the equipment costs associated with the fire and would create no burden for other taxpayers.

- 2) No billing is prepared for the Monkey top; however, the Town of Bentley will still be required to pay \$40,439.27 in fees related to mutual aid billed by Lacombe County. This was an unbudgeted item for 2024 and funds would need to be found to cover these costs. This could result in an overall tax increase to the public for the 2024 tax year.

ATTACHMENTS

- 1) **Bylaw 128/2008** a bylaw of the Town of Bentley in the Province of Alberta to provide for the establishment and operation of a volunteer fire department.
- 2) **Policy 50/2014** Bentley District Fire Department Fire Protection and Emergency Response, Part C – Charges for Fire and Emergency Response Equipment and Personnel
- 3) **Bylaw 1337/21** Fire Protection and Emergency Response Bylaw – Lacombe County
- 4) **Breakdown of Costs** associated with Monkey Top Fire Response

Marc Fortais, CAO

By-law No. 128/2008

A BY-LAW OF THE TOWN OF BENTLEY IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A VOLUNTEER FIRE DEPARTMENT AND TO PROVIDE FOR THE PROTECTION AND PRESERVATION OF LIFE AND PROPERTY WITHIN THE TOWN OF BENTLEY

WHEREAS, the Municipal Government Act, RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, as amended, (herein after referred to as the "ACT") provides that a Council of a Municipality may pass By-laws for the safety, health and welfare of people and the protection of people and property.

AND WHEREAS, the Council of the Town of Bentley wishes to establish a fire protection and emergency response service within the Town and provide for the efficient operation of such a service.

NOW THEREFORE, the Council of the Town of Bentley, in the Province of Alberta, duly assembled, enacts as follows;


1. Title

- a. This By-law may be cited as the Fire Protection Emergency Response By-law

2. Definitions

- a. **Apparatus** shall mean any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters, equipment and/or supplies .
- b. **Board** shall mean the Board of the Lacombe Regional Fire Service Association
- c. **Burning Barrel** shall mean a non-combustible structure or container covered with a heavy gauge metal screen having a mesh size not larger than 13 millimeters and is used for the purpose of burning household refuse
- d. **Council** shall mean the Council of the Town of Bentley
- e. **CAO** shall mean the Chief Administrative Officer of the Town of Bentley or his/her designate



- f. **Dangerous Goods** shall mean any product, substance or organism specified in the regulation or included by its nature in any of the classes listed in the regulations under the Dangerous Goods Transportation and Handling Act, Chapter D-4, as amended, of the RSA 2000
- g. **Deputy Fire Chief** shall mean that person who is the second highest ranking Member who shall, in the absence of the Fire Chief, carry out the duties of the Fire Chief
- h. **Director of Disaster Services** shall mean that person appointed by Council to act as the Town's Director of Disaster Services, or his/her designate
- i. **Disaster** shall mean a natural or manmade event that results or may result in serious harm to safety, health or welfare of persons, property or the environment
- j. **Enforcement Officer** shall mean a member of the R.C.M.P., a Lacombe County Community Peace Officer or any person appointed by the Town to enforce the provisions of this By-law.
- k. **Equipment** shall mean any tools, devices or materials used by the Fire Department for the purpose of providing Fire Protection and Emergency Response services
- l. **False Alarm** shall mean any fire alarm that is set through willful, accidental, human or mechanical error and causes the Fire Department to respond to a fire or emergency which in fact is not in existence
- m. **Fire Ban** shall mean the prohibition of the lighting of fires in the Town
- n. **Fire Chief** shall mean that person appointed by Council to act as the Chief of the Bentley Fire Department
- o. **Fire Department** shall mean the department established by this By-law for the purpose of providing Fire Protection and Emergency Response services
- p. **Fire Protection and Emergency Response** shall mean all aspects of fire department responses including, but not limited to, fire prevention, fire fighting and suppression, pre-fire planning, fire inspections, fire investigation, public education and information, training, and responses to disasters and accidents, including motor vehicle accidents
- 

- q. **Illegal Fire** shall mean any fire that is set in contravention of this By-law
- r. **Inspection Officer** shall mean the Regional Fire Chief, the Fire Chief, Enforcement Officer or any other person so authorized to undertake inspections
- s. **Member** shall mean any person that is a duly appointed Member of the Bentley Fire Department and shall include the Fire Chief
- t. **Member in Charge** shall mean the Fire Chief, or in the absence of the Fire Chief, the Deputy Fire Chief, or in the absence of the Deputy Fire Chief, the highest ranking Member who first arrives at the site of an incident
- u. **Prohibited Debris** shall mean any flammable debris or waste material that when burned may result in the release to the atmosphere of dense smoke, offensive odors or toxic air contaminants pursuant to Alberta Regulation 110/93
- v. **Quality Management Plan** shall mean the Quality Management Plan, Joint Accredited Municipalities, Fire Safety Discipline, established pursuant to the Alberta Safety Codes Act
- w. **Recreation Fire** shall mean a fire contained within a non-combustible container which is set for the purpose of cooking, obtaining warmth or viewing for pleasure and may only be fueled with wood, charcoal briquettes, fireplace pellets, manufactured fire logs, coal, natural gas or propane
- x. **Regional Fire Chief** shall mean the Regional Fire Chief appointed by the Lacombe Regional Fire Services Association
- y. **Safety Codes Officer** shall mean any person designed as a Safety Codes Officer for the Town of Bentley, pursuant to the Safety Codes Act
- z. **Structure Fire** shall mean a fire confined to or within any building, structure, machine or vehicle, which will, or is likely to cause the destruction of or damage to such building, structure, machine or vehicle
- aa. **Town** shall mean the Town of Bentley



3. Establishment of Fire Department

The Bentley Fire Department is hereby established for the purpose of providing Fire Protection and Emergency Response Services in the Town of Bentley

4. Lacombe Regional Fire Service Association

The Town of Bentley is hereby authorized to maintain membership in the Lacombe Regional Fire Service Association

5. Fire and Mutual Aid Agreements

The Town is hereby authorized to enter into agreements with other municipalities and agencies for the purchase, use, operation and management of fire apparatus, equipment and facilities and for the purpose of providing Fire Protection and Emergency Response Services in the Town and in those municipalities participating in such agreements

6. Operation of Fire Department

The Town shall establish, by policy;

- a. The types of Fire Protection and Emergency Response Services and to what level these services will be provided
- b. The authority and/or procedure for recruiting, appointing and terminating the Fire Chief and Members of the Fire Department
- c. The Organizational Structure of the Fire Department
- d. The lines of communication and chain of command for the Fire Department
- e. The job descriptions for the Members of the Fire Department
- f. The Code of Conduct for the Members of the Fire Department
- g. The amount of remuneration paid to the Fire Department and its Members



- h. The Fire Department shall establish Standard Operating Guidelines for the provision of Fire Protection and Emergency Response Services that are consistent with this By-law and other applicable policies of the Town
- i. Notwithstanding Section 6 a to h of this By-law, the Fire Department shall provide Fire Protection and Emergency Response Services within the scope that the Fire Department's manpower, equipment and training permits, as determined by the Fire Chief.

7. Authority and Responsibility of Fire Chief

- a. The Fire Chief shall be responsible to the CAO for the performance of his/her duties pursuant to this By-law and other applicable policies of the Town
- b. The Fire Chief shall make and submit such reports and plans to the Town and the Board, as may be required by each respectively
- c. The Fire Chief shall maintain and submit to the Town, on a timely basis;
 - i) a record of all fires and emergency responses attended by the Fire Department in a form prescribed by the Town
 - ii) a record of all fire inspections carried out and actions taken on account of fire inspections according to the Quality Management Plan
 - iii) any other records incidental to the operation of the Fire Department
- d. The Fire Chief shall prepare and submit to the Town annually, for approval, a list of apparatus, equipment and supplies that may be required for the administration and operation of the fire department for the subsequent or future years
- e. The Fire Chief is authorized to purchase or otherwise direct the purchase of equipment and supplies previously approved by the Town
- f. The Fire Chief may obtain assistance from other officials of the Town as he deems necessary in order to discharge his duties and responsibilities under this By-law and other applicable policies of the Town.
- g. The Fire Chief shall be responsible for the use, care and protection of the Fire Department property



- h. The Fire Chief shall manage and administer the affairs of the Fire Department pursuant to this By-law and other applicable policies of the Town
- i. The Fire Chief may appoint other Members to the Fire Department, pursuant to policies of the Town.
- j. The Fire Chief may appoint the Deputy Fire Chief, or in his/her absence, another Member of the Fire Department to act as the Fire Chief in his/her absence for a period not to exceed thirty (30) days
- k. The Members of the Fire Department shall be responsible to the Fire Chief for the performance of their duties pursuant to this By-law and other applicable policies of the Town and such other duties as may be assigned by the Fire Chief from time to time
- l. In the event an emergency or disaster is declared, the Fire Chief shall be responsible to the Town's Director of Disaster Services, or designate, for the conduct of emergency operations

8. Authority and Responsibility of Member in Charge

- a. The Member in Charge at an incident in the Town of Bentley shall be responsible for the control, direction and management of all apparatus, equipment and manpower assigned to that incident and shall continue to act as the Member in Charge until relieved by a Member authorized to do so.
- b. The Member in Charge shall be responsible to direct and manage the operations necessary as reasonably as can be expected for a Volunteer Fire Department for the extinguishing of a fire or controlling other emergency incidents
- c. The Member in Charge shall take action as deemed necessary for preserving lives and property and protecting persons and property from injury or destruction from fire or other emergency incidents
- d. The Member in Charge is empowered to cause a building or structure to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings or structures



- e. The Member in Charge is authorized to enter premises or property without permission where an incident is occurring and to cause any Member or apparatus to enter without permission, as the Member in Charge deems necessary
- f. The Member in Charge is authorized to enter, pass through or over buildings, structures or property adjacent to the incident and to cause Members or apparatus to enter or pass through or over the building, structure or property without permission, if the Member in Charge deems it necessary to gain access in the incident or protect any persons or property
- g. The Member in Charge may request Enforcement Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 8.f
- h. The Member in Charge is authorized to require any adult person who is not a Member to assist in;
 - i) extinguishing a fire or prevent the spread thereof
 - ii) removing furniture, good and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same
 - iii) demolishing a building or structure at or near the fire or other incident
- i. The Member in Charge is authorized to secure Town manpower and equipment which he considers necessary to deal with an incident
- j. The Member in Charge is authorized to secure and/or command privately owned equipment which he considers necessary to deal with an incident and authorize payment for the use of said equipment
- k. After the Fire Department assumes care and control of a fire, should an owner or representative of the owner of a building, structure, property or other thing request that the fire department cease fire extinguishing activities, the Member in Charge, at his discretion, may cease fire extinguishing activities and transfer responsibility for care and control of the fire to the owner or representative's owner subject to the execution of a "Property Release After Emergency Incident" form



9. Fire Hydrants

- a. No person, other than Members, Employees or Agents of the Town, shall, without prior approval from the Town, affix any tool, hose or other device to any fire hydrant or fire hydrant valve
- b. No person shall, without prior approval from the Town, paint or otherwise tamper with any fire hydrant or portion thereof

10. Recreation Fires (Fire Pits and Barbeques)

- a. Recreational Fires are permitted, subject to the following specifications;
 - i) a required minimum of 3.3 metres (10 feet) clearance, measured from the nearest fire pit edge to building, property line or other combustible materials
 - ii) the height does not exceed 0.6 metres (23.4 inches) when measured from the surrounding grade to the top of the pit opening
 - vi) the pit opening does not exceed 1 metre (39 inches) in width or in diameter when measured between the widest points or the outside edge
 - vii) it is constructed of enclosed sides made from bricks, concrete blocks, heavy gauge metal or other suitable non-combustible material
 - viii) it must be supervised at all times by a responsible adult person over the age of 18 until such time as the fire has been completely extinguished. For the purposes of this clause, a fire shall be deemed to include hot ashes and smoldering embers resulting from the fire.
 - ix) it has a spark arrester mesh screen with openings no larger than 1.25 centimetres (.75 inch), constructed of expanded metal (or equivalent) to cover the fire pit opening in a manner sufficient to contain and reduce the hazard of airborne sparks
 - x) only wood, charcoal briquettes, manufactured fire logs, fireplace pallets, propane or natural gas are used

- xi) the flames do not exceed a height of 91 centimetres (3 feet) above the barbeque or fire pit

11. Burning Barrels

- a. The use of a Burning Barrel for the purpose of burning household refuse is permitted, pursuant to Town of Bentley By-law 100/06 and amendments thereto.

12. Fire Works

- a. Subject to the exceptions set out in Section 12.b, no person shall discharge any fireworks within the corporate limits of the Town of Bentley
- b) The Fire Chief may, upon written application, permit qualified personnel to ignite fireworks and conduct fireworks displays. The Fire Chief may impose such conditions and restrictions on the use of fireworks and fireworks displays as may be deemed appropriate. Such conditions and restrictions may address;
 - i. hours of the day
 - ii. days of the week
 - iii. length of display
 - iv. geographic location
 - v. requirements for notification of adjacent residents
 - vi. safety precautions
- c) All fireworks shall be stored, used and ignited in accordance with the provisions of the Explosives Act (Canada) and Alberta Fire Code and associated regulations
- d) No person or business shall be permitted to sell fireworks within the Town of Bentley

13. Fire Bans

- a) The Fire Chief is hereby granted the authority to impose Fire Bans from time to time, depending on weather conditions and any other conditions as may be deemed appropriate by the Fire Chief
- b) A fire ban may be imposed, with or without conditions

- c) A Fire Ban declared by the Province of Alberta and the conditions imposed thereto take precedence over the Fire Ban provisions of this By-law.

14. Control of Fire Hazards

- a) Inspection Officers shall be given access at reasonable hours to both private and public land for the purpose of inspecting the property to determine whether a fire hazard exists
- b) If an Inspection Officer determines, in his/her sole discretion, that a fire hazard exists on private or public land, the CAO may order the owner or person in control of the land on which the fire hazard exists to reduce or remove the hazard within a specified period of time and in a manner prescribed by the CAO
- c) If an order made pursuant to 14.b has not been carried out within the time specified, the Town may enter the land with any equipment or personnel it considers necessary and perform any work required to reduce or remove the fire hazard.
- d) The owner or person in control of the land, in which work was performed by the Town pursuant to 14.c, shall, on demand, reimburse the Town for the cost of the work performed, and in default of payment, the amount levied and unpaid shall be charged against the land as taxes due and owing in respect of that land

15. Illegal Fires

- a) Any Enforcement Officer or Member or Employee of the Town may extinguish an illegal fire using whatever apparatus or procedure, at his sole discretion, is deemed appropriate
- b) The costs of controlling or extinguishing any illegal fire shall be recovered from the person causing the illegal fire.

16. Recovery of Costs

- a) When the Fire Department has taken any action whatsoever for the purpose of providing Fire Protection and Emergency Response Services in or outside of the Town, the CAO may, in respect of any costs incurred by the Town in taking such action, charge any costs



so incurred to the owner or occupant of the property or any thing in respect to which the action was taken.

- b) The costs and fees to be charged by the Town for services rendered pursuant to this By-law shall be determined by resolution of Council from time to time.
- c) In the event that the owner or operator of the property or any other thing in respect to which the Fire Department action was taken feel aggrieved by any action taken pursuant to Section 16.a), such owner or occupant shall have a period of thirty (30) days from the date of mailing of the notice of the action taken, by the CAO, to appeal to Council. The decision of Council on any such appeal shall be final and Binding upon the owner or occupant and shall not be subject to further appeal.

This By-law rescinds By-law 80/03.

This By-law shall come into effect on the date of the final passing thereof.

Read a first time this 12th day of August, 2008

Read a second time this 26th day of August, 2008

Read a third and final time this 26th day of August, 2008



Mayor



Chief Administrative Officer



Policy No. 50/2014

Policy Title: **Bentley District Fire Department
Fire Protection and Emergency Response**

Date Adopted: **October 14, 2014**

Replaces: Policy 28/2008

Purpose: Town of Bentley By-law No. 128/2008 provides for the establishment and operation of the Bentley District Fire Department to provide fire protection and emergency response services to residents, ratepayers, other municipalities and the general public within the Town of Bentley and Lacombe County.

The Bentley Fire Department Policy Manual was adopted by Town of Bentley Council on February 12, 2008.

The Town of Bentley recognizes and greatly appreciates the members of the Bentley District Fire Department for the many hours of dedicated, volunteer services, often under extreme and adverse conditions or situations.

It is further recognized that members of the Bentley District Fire Department require specialized training and qualifications in order to provide their services.

The purpose of this Policy is to set out the guidelines for honorariums to the Bentley District Fire Department and its members and the charges for fire and emergency response equipment and personnel.

Statement: **Part A – Fire Department Honorarium**

Honorarium will be paid to the Bentley District Fire Department as follows;

- a) Engine Unit** - \$100.00 per response to emergencies located within the Town limits and mutual aid to other municipalities
- b) Rescue Unit** - \$100.00 per response to emergencies located within the Town limits and mutual aid to other municipalities

- c) **Man Hours** - \$15.00 per hour for all hours exceeding a total of 10 man-hours at the same response within the Town limits and mutual aid to other municipalities.
- d) **Fire Department Members** - \$100.00 per volunteer member, per annum, will be paid to the Bentley District Fire Department for discretionary items such as jackets, uniforms, badges, social functions, etc.
- e) **Fire Chief** - \$1,500.00 per annum will be paid to the Bentley District Fire Department to recognize the additional duties and responsibilities of the position of Fire Chief.
- f) **Members** - \$2,000.00 per annum will be paid to the Bentley District Fire Department to recognize the services of the volunteer members.
- g) The honorarium referred to in a) to f) is inclusive of meals and refreshments and the completion of fire reports, fire investigations and associated expenses such as mileage.
- h) **Firefighter Training** – the Town of Bentley supports and encourages formal training designed to improve the knowledge and abilities of the fire department members by providing financial support as follows;
 - I. Payment of 50% of the course registration fees for each fire department member participating in an feTS course or any other course directly associated with fire fighting duties and responsibilities (i.e. Safety Codes, Class 3 Driver training)
 - II. \$250.00 will be paid to each fire department member who successfully passes an feTS course or any other course directly associated with fire fighting duties and responsibilities
 - III. \$250.00 and 50% of the registration fee will be paid to the Fire Chief (or his designate) for attendance at the Alberta Fire Chiefs Association Annual Conference. Accommodation and meal expenses will be reimbursed in accordance with the Town of Bentley's current Council Remuneration and Expense Policy.

Policy Amendment approved by Town Council on September 12, 2017 – retroactive to January 1, 2017

NFPA 1001 (Level 1 & 2))	A series of courses/practicum taken over the period of one year or two years - Fire Fighter Professional Qualifications
NFPA 1002 (Levels 1 & 2)	Fire Department Vehicle Driver/Operator Professional Qualifications - including all water operations and aerial operator.
NFPA 472	Operations level
NFPA 1051	Wildland Firefighter Professional Qualifications
NFPA 1021 (Levels 1 & 2)	Fire Officer Professional Qualifications
NFPA 1041 (Levels 1 & 2)	Fire Service Instructor Professional Qualifications
NFPA 1033	Fire Investigator Professional Qualifications

Lacombe County and Town of Bentley to cost share on a 50/50 basis. Upon a Firefighter successfully completing an NFPA level, Bentley District Fire Dept will submit a request to the Town of Bentley for 50% of the remuneration rates listed below:

NFPA 1001 (up to Levels 1 & 2 and Including NFPA 472 Operations level)	If taken in one year: \$900.00 upon successful completion and \$900.00 for the following 2 years to a total of \$2,700.00	
NFPA 1001 (up to Level 2 and Including NFPA 472 Operations level) over a 2 year period	\$ 1,350.00	Level 1
	\$ 900.00	Level 2
	\$ 450.00	NFPA 472
NFPA 1002 (including Aerial) (all water pump operations)	\$1,050.00	
NFPA 1051 (Wild land fires)	\$ 450.00	
NFPA 1021 Level 1 (Officer Training)	\$1,000.00	
Level 2	\$ 800.00	
NFPA 1041 Level 1 (instructor training)	\$ 500.00	
Level 2	\$ 300.00	
NFPA 1033 (investigations training)	\$ 600.00	

Motion 166/2017: Moved by Deputy Mayor Howard that Council amend Policy 50/2014 Bentley District Fire Department – Fire Protection and Emergency Response – Clause h) Fire Fighter Train – to include the payment schedule for the successful completion of NFPA level courses, as presented, further that this amendment be retroactive to January 1, 2017.

Carried

Part B – Fire Department Authority & Reporting Requirements

Actions taken in response to a fire or emergency response are pursuant to the Bentley District Fire Department Policy Manual adopted by Bentley Town Council on February 12, 2008 and the corresponding Standard Operating Procedures.

- a) The Bentley District Fire Chief or the Incident Commander is in charge at the fire or emergency response within the Town. This individual is authorized to arrange for any additional equipment as required, at the expense of the Town of Bentley
- b) Fire reports are to be completed for all fires and emergencies responded to, within the Town of Bentley or mutual aid to another municipality, with Town of Bentley or Lacombe County equipment and submitted to the Town of Bentley.
- c) The Bentley District Fire Department is authorized to charge accounts to the Town of Bentley for regular equipment maintenance and operational items. All invoices received by the Town shall be signed by the Fire Chief or Deputy Fire Chief prior to payment.
- d) Major equipment purchases and replacement will normally be considered as a budget item. Annual budget estimates are to be submitted by the Fire Chief to the Chief Administrative Officer prior to October 30th of each year.
- e) Approval from the Chief Administrative Officer is required for the replacement and/or purchase of equipment not provided for in the annual budget.

Part C – Charges for Fire and Emergency Response Equipment and Personnel

- a) Subject to the exceptions listed, nor charge will be made for fire or emergency responses to residents and ratepayers of the Town of Bentley, Lacombe County and other municipalities of which a mutual aid agreement is in effect.
- b) A charge will be levied for responses involving;
 - I. a motor vehicle accident

- II. a fire or emergency response involving a railway or originating on a railway right-of way
- c) The rate of charge for fire and emergency response equipment and personnel referred to in Section b) is as follows;
- I. Town or County Engine \$500.00 per hour
 - II. Rescue Truck \$500.00 per hour
 - III. Equipment & supplies other than the Engine or Rescue Truck costs plus Town of Bentley 15% administration fee
 - IV. Personnel other than Fire Department members costs plus Town of Bentley 15% administration fee
- d) The rate of charge referred to in Section c) above shall be applied for the period commencing from when the vehicles and equipment leave the fire hall until the vehicles and equipment are back in the fire hall and deemed to be in service, rounded up to the next one-half hour.
- e) At the discretion of the Chief Administrative Officer;
- I. The charge levied for responses may be adjusted based on the level of service provided at the incident
 - II. Other costs may be charged for items including but not limited to:
 - Replacement of basic supplies such as foam
 - Meals and refreshments for the fire fighters
 - Equipment fuel costs
 - Lost or damaged equipment and protective clothing
 - Fire investigation costs
 - Specialty services

Effective Date:

This policy shall come into effect on the date of adoption by Bentley Town Council.

Mayor

Chief Administrative Officer

BYLAW NO. 1337/21

A BYLAW OF LACOMBE COUNTY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF VOLUNTEER FIRE DEPARTMENTS AND TO PROVIDE FOR THE PROTECTION AND PRESERVATION OF LIFE AND PROPERTY WITHIN LACOMBE COUNTY.

WHEREAS the *Municipal Government Act* provides that a Council of a municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property, services provided by or on behalf of the municipality and the enforcement of bylaws;

AND WHEREAS the *Municipal Government Act* further provides that a municipality may pass bylaws to regulate or prohibit, impose a system of licenses, permits or approvals and to collect costs and expenses incurred by the municipality for extinguishing fires;

AND WHEREAS the *Forest and Prairie Protection Act* provides that a Council of a municipal district is responsible for fighting and controlling all fires within the boundaries of the municipal district, other than areas contained in a forest protection area;

AND WHEREAS the Council of Lacombe County recognizes that fireworks are explosive devices and the sale, possession and use of fireworks by Persons not properly trained and authorized creates an unacceptable risk to life, health, safety and property;

AND WHEREAS the Council of Lacombe County has deemed it necessary for the safety and well-being of the community to regulate Fireworks within the boundaries of the County.

AND WHEREAS the Council of Lacombe County wishes to establish a fire protection and emergency response service within the County and provide for the efficient operation of such a service;

NOW THEREFORE THE COUNCIL OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

1. SHORT TITLE

- 1.1. This Bylaw may be cited as the Lacombe County "Fire Protection and Emergency Response Bylaw"

2. DEFINITIONS

- 2.1. "Apparatus" shall mean any vehicle provided with machinery, devices, equipment or materials used for the purpose of providing Fire Protection and Emergency Response Services, as well as vehicles used to transport firefighters or supplies;
- 2.2. "Burning Barrel Fire" shall mean any fire contained within a non-combustible structure or container covered with a spark arrester mesh screen made of expanded metal (or equivalent) with openings no larger than 13 millimeters (1/2") to contain sparks over the fire at all times which is used for the purpose of burning household refuse other than Prohibited Debris;
- 2.3. "Consumer Fireworks" mean fireworks which are designed for recreational use and are classified as low-hazard fireworks within the *Explosives Act* but does not include sparklers;
- 2.4. "Council" shall mean the Council of Lacombe County;
- 2.5. "County" shall mean Lacombe County;

- 2.6. "County Fire Chief" shall mean that person appointed by the County Manager to act as the Fire Chief for Lacombe County, or his/her designate;
- 2.7. "County Manager" shall mean the Chief Administrative Officer of Lacombe County, or his/her designate;
- 2.8. "Display Fireworks" mean fireworks that are designed for professional use and are classified as high-hazard within the *Explosives Act*;
- 2.9. "Director of Emergency Management" shall mean that person appointed by the County Manager to act as the County's Director of Emergency Management, or his/her designate;
- 2.10. "Disaster" shall mean a natural or manmade event that results or may result in serious harm to the safety, health or welfare of persons, property or the environment;
- 2.11. "District Chief" shall mean that person appointed by the County Fire Chief to act as the Chief of a District Fire Department, or his/her designate;
- 2.12. "Equipment" shall mean any tools, devices, or materials used by a Fire Department for the purpose of providing Fire Protection and Emergency Response Services;
- 2.13. "Firecracker" shall mean the same as it is defined in the most recent version of the *National Fire Code – Alberta Edition*
- 2.14. "Fire Ban" shall mean the prohibition on the lighting of fires in the County;
- 2.15. "Fire Department" shall mean a department established by this Bylaw or a Bylaw of any municipality entering into an agreement with the County for the purpose of providing Fire Protection and Emergency Response Services;
- 2.16. "Fire Guardian" shall mean any individual who is a Fire Guardian under, and is subject to any limitations provided for in the *Forest and Prairie Protection Act*;
- 2.17. "Fire Permit" shall mean a document issued by a Fire Guardian pursuant to this Bylaw, on the form adopted by the County from time to time;
- 2.18. "Fire Protection and Emergency Response" shall mean all aspects of Fire Department responses including, but not limited to, fire prevention, firefighting and suppression, pre-fire planning, fire inspection, fire investigation, public education and information, training, search and rescue, and responses to disasters and accidents, including motor vehicle accidents;
- 2.19. "Fireworks Permit" shall mean a document issued by the County Fire Chief or designate, pursuant to this Bylaw, on the form adopted by the County from time to time authorizing the possession, handling, discharging, firing or setting off of Consumer Fireworks or Display Fireworks.
- 2.20. "Fireworks Sale and Storage Permit" shall mean a document issued by the County Fire Chief or designate, pursuant to this Bylaw, on the form adopted by the County from time to time authorizing the sale or storage for the purpose of sale, of Consumer Fireworks or Display Fireworks.
- 2.21. "Illegal Fire" shall mean any fire that is set in contravention of this Bylaw;
- 2.22. "Inspection Officer" shall mean the County Fire Chief, District Chief, Peace Officer, Fire Guardian, or any Member authorized to undertake inspections;

- 2.23. "Member" shall mean any person that is a duly appointed Member of a Fire Department and shall include the District Chief;
- 2.24. "Member in Charge" shall mean the County Fire Chief or in the absence of the County Fire Chief, the District Chief, or in the absence of the District Chief, the highest ranking Member who first arrives at the site of an incident;
- 2.25. "Outdoor Fire" shall mean any fire that is not contained within a building, structure, or a container and shall include fires involving humus soil, coal, farm produce, waste, wood scrap, bush, brush, grass, straw and hay;
- 2.26. "Peace Officer" shall mean:
- a) a police officer,
 - b) a person appointed as a Peace Officer pursuant to the Peace Officer Act, SA 2006, c P-3.5; or
 - c) a person appointed as a bylaw enforcement officer pursuant to the Municipal Government Act, RSA 2000, c M-26
- 2.27. "Portable Appliance" shall mean any appliance used for cooking food in the outdoors;
- 2.28. "Prohibited Debris" shall mean any flammable debris or waste material that when burned may result in the release to the atmosphere of dense smoke, offensive odors or toxic air contaminants pursuant to the *Substance Release Regulation*, AR 124/93 of the *Environmental Protection and Enhancement Act*;
- 2.29. "Recreation Fire" shall mean a fire contained within a non-combustible container which is set for the purpose of cooking, obtaining warmth or viewing for pleasure and may only be fueled with wood, charcoal, coal, natural gas or propane;
- 2.30. "Smudge Fire" shall mean a fire that is used for the purpose of protecting livestock from insects;
- 2.31. "Specified Penalty" shall mean a penalty which may be paid in response to an alleged contravention of any provision of this Bylaw as established in Schedule "A" of this Bylaw;
- 2.32. "Structure Fire" shall mean a fire confined to or within any building, structure, machine or vehicle, which will, or is likely to cause the destruction of or damage to such building, structure, machine or vehicle;
- 2.33. "Violation Ticket" shall mean a ticket issued for an alleged contravention of any provision of this Bylaw and shall be issued in accordance with the *Provincial Offences Procedure Act*.

3. ESTABLISHMENT OF FIRE DEPARTMENTS AND DISTRICTS

- 3.1. The following Lacombe County Fire Departments are hereby established for the purpose of providing Fire Protection and Emergency Response Services in the County:
- a) Alix,
 - b) Bentley,
 - c) Clive,
 - d) Eckville, and
 - e) Lacombe
- 3.2. Council may divide the County into Fire Districts as deemed necessary for the provision of Fire Protection and Emergency Response services.

4. FIRE AND MUTUAL AID AGREEMENTS

- 4.1. The County Manager is hereby authorized to enter into agreements with other municipalities and agencies for the purchase, use, operation and management of fire apparatus, equipment and facilities and for the purpose of providing Fire Protection and Emergency Response Services in the County and in those municipalities participating in such agreements.

5. AUTHORITY AND RESPONSIBILITY OF THE COUNTY FIRE CHIEF AND DISTRICT CHIEFS

- 5.1. The County Fire Chief shall be responsible to the County Manager or designate for the performance of his/her duties pursuant to this Bylaw, other applicable policies of the County and the County Fire Chief job description.
- 5.2. The District Chief shall be responsible to the County Fire Chief for the performance of his/her duties pursuant to this Bylaw and other applicable policies of the County.
- 5.3. The District Chief may obtain assistance from other officials of the County as deemed necessary in order to discharge his/her duties and responsibilities under the Bylaw and other applicable policies of the County.
- 5.4. The District Chief shall manage and administer the affairs of the Fire Department pursuant to this Bylaw and other applicable policies of the County.
- 5.5. The District Chief may appoint other Members to the Fire Department.
- 5.6. The District Chief may appoint other Members of the Fire Department to act as the District Chief in his/her absence for a period not to exceed 30 days.
- 5.7. The Members of the Fire Department shall be responsible to the District Chief for the performance of their duties pursuant to this Bylaw and other applicable policies of the County and such other duties as may be assigned by the District Chief from time to time.

6. AUTHORITY AND RESPONSIBILITY OF MEMBERS IN CHARGE

- 6.1. The Member in Charge at an incident in his/her Fire Department response area shall have control, direction and management of all apparatus, equipment and manpower assigned to that incident and shall continue to act as the Member in Charge until relieved by another Member authorized to do so.
- 6.2. The Member in Charge shall be responsible to direct and manage the operations necessary for the extinguishment of a fire or controlling other emergency incidents.
- 6.3. The Member in Charge shall take action as deemed necessary for preserving lives and property and protecting persons and property from injury or destruction from fire and other emergency incidents.
- 6.4. The Member in Charge is empowered to cause a building, structure or other thing to be pulled down, demolished or removed if deemed necessary to prevent the spread of fire to other buildings, structures or other things.
- 6.5. The Member in Charge is authorized to enter premises or property without permission where an incident is occurring and to cause any Member or Apparatus to enter without permission, as the Member in Charge deems necessary.
- 6.6. The Member in Charge is authorized to enter, pass through or over buildings, structures or property adjacent to the incident and to cause Members or Apparatus to enter or pass through or over the building, structure or property without permission, where the Member in Charge deems it necessary to gain access to the incident or protect any persons or property.

6.7. The Member in Charge may establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by the Member in Charge. No person shall enter the boundaries or limits of an area unless authorized to enter by the Member in Charge.

6.8. The Member in Charge may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 6.7.

6.9. The Member in Charge is authorized to require any adult person who is not a Member, to assist in:

- a) extinguishing a fire or preventing the spread thereof;
- b) removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and
- c) demolishing a building or structure at or near the fire or other incident.

6.10. The Member in Charge is authorized to secure and commandeer privately owned equipment which is considered necessary to deal with an incident and authorize payment for the use of said equipment.

7. COMPLIANCE AND ENFORCEMENT

7.1. No person, other than Members, employees, or agents of the County shall, without prior approval from the County, the County Fire Chief, or the District Chief, affix any tool, hose, or other device to any fire hydrant.

7.2. No person shall, without prior approval from the County, paint or otherwise tamper with any fire hydrant or portion thereof.

8. FIRE GUARDIANS

8.1. Each year before April 1, The County Manager shall appoint a sufficient number of Fire Guardians to enforce the provisions of the *Forest and Prairie Protection Act* and this Bylaw within the boundaries of the County.

9. FIRE PERMITS

9.1. Fire Permits are required for all Outdoor Fires, with the exception of those listed in Sections 10.1, 10.2 and 10.3 of this Bylaw.

9.2. No fires are allowed on County owned property, roadways or in areas designated as municipal or environmental reserves without a Fire Permit.

9.3. In addition to any Fire Permit required under *the Forest and Prairie Protection Act* the County Manager may require Fire Permits during any other period of the year.

9.4. A Fire Permit, when issued, shall be at no cost to the applicant.

9.5. An application for a Fire Permit may be made to a Fire Guardian verbally, in writing or in electronic format, and the Fire Guardian shall receive and consider the application and, after having done so, may, in his/her absolute discretion, issue or refuse issuance of a Fire Permit to the applicant.

9.6. Fire Permits issued pursuant to this Bylaw are valid for such period of time as deemed appropriate to the Fire Guardian issuing the permit, but in any case shall not exceed a period of seven days.

9.7. A Fire Permit shall not be transferable to another property or individual.

9.8. A Fire Permit issued under the Bylaw may be suspended or cancelled at any time by a Peace Officer, Fire Guardian, or the County Manager.

9.9. Each Fire Permit shall contain the following information:

- a) the name, address, and telephone number of the applicant;
- b) the legal description or municipal address of the land on which the applicant proposes to set a fire;

- c) the type and description of material which the applicant proposes to burn;
- d) the date of issuance of the Fire Permit;
- e) the period of time the Fire Permit is valid;
- f) the conditions that the Fire Guardian has imposed on the permit and the precautions that will be taken by the applicant to ensure that the proposed fire remains under control;
- g) the signature of the applicant if the application for the Fire Permit is made in person;
- h) a notation that the Fire Permit was issued via telephone if the application for the Fire Permit is made over the telephone; and
- i) the signature of the Fire Guardian issuing the Fire Permit.

9.10. A Fire Permit issued under the Bylaw is authorized to be reviewed and approved electronically via Lacombe County's online permitting system and is valid without signatures when done so, providing the permit holder can produce electronic proof of permit as required.

10. FIRE PERMIT EXEMPTIONS

10.1. A Fire Permit is not required under this Bylaw for the following:

- a) a Recreation Fire that is contained in a barbeque or fire pit provided that:
 - i. a minimum of 3.3 metres (10 feet) clearance from buildings, property lines and combustible materials is maintained;
 - ii. the barbeque or fire pit is constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible material;
 - iii. they are supervised until such time as the fire has been completely extinguished. For the purpose of this clause a fire shall be deemed to include hot ashes and smoldering embers resulting from the fire; and
 - iv. only wood, charcoal briquettes, manufactured fire logs, fireplace pellets, propane or natural gas is used.
- b) a Portable Appliance;
- c) a Burning Barrel Fire; or
- d) fires that are set for the purpose of firefighter training.

10.2. This Bylaw does not apply to any industrial or commercial incinerator regulated under the *Environmental Protection and Enhancement Act*.

10.3. Notwithstanding Section 9.2 of this Bylaw, a Fire Permit is not required for Recreation Fires on County owned property or municipal or environmental reserves that have been designated for such purpose provided that the Recreation Fire is fueled by natural gas or propane or is contained in a fire pit approved by the County.

11. FIREWORKS

- 11.1. No person shall sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Sale and Storage Permit.
- 11.2. No person shall possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Permit.
- 11.3. No person other than an individual who has a valid display supervisor or pyrotechnician card issued pursuant to the *Explosives Act* (Canada) shall possess, handle, discharge, fire or set off Display Fireworks in the County.
- 11.4. A display supervisor or pyrotechnician shall apply, in writing, to the County Fire Chief or designate, a minimum of 14 calendar days prior to the proposed Display Fireworks display for a Fireworks Permit. The application must address all information required by the *Explosives Act* (Canada) and the National Fire Code – Alberta Edition, including, but not limited to:
 - a) date, time and location of the proposed display;

- b) names, addresses and certification numbers of all display supervisors or pyrotechnicians and assistants participating in the display;
- c) the name of the sponsor or purchaser of the display;
- d) a full description of the planned display and a list of all materials to be fired, detonated, burnt or energized during the display;
- e) the emergency plan for the display;
- f) verification of liability insurance, in an amount acceptable to the County; and
- g) any other information deemed necessary by the County, County Fire Chief or the District Fire Chief.

11.5. The County Fire Chief or designate may impose such conditions and restrictions on the Fireworks Permit as they deem appropriate. Such conditions and restrictions may include, but are not limited to:

- a) time of the day;
- b) days of the week;
- c) duration of display;
- d) geographic location;
- e) requirements for notification of affected residents;
- f) on-site fire suppression materials and resources; and
- g) safety precautions to mitigate danger or nuisance to any person or property.

11.6. The County Fire Chief or designate, may choose not to issue a Fireworks Permit if, in his/her opinion, such a display may create a risk to life, safety or property.

11.7. The County Fire Chief or designate, may revoke any previously issued Fireworks Permit for reasons of:

- a) non-compliance with:
 - i. the National Fire Code – Alberta Edition;
 - ii. the *Explosives Act* (Canada); or
 - iii. the Fireworks Permit.
- b) changes in environmental conditions; or
- c) safety to life, limb, or property.

11.8. A Fireworks Permit, when issued, shall be at no cost to the applicant.

12. FIRE BANS

12.1. The County Manager is hereby granted the authority to impose Fire Bans from time to time depending on weather conditions and any other conditions as he deems appropriate.

12.2. A Fire Ban may be imposed with or without conditions.

12.3. A Fire Ban may be imposed for the entire County or portions of the County.

12.4. A Fire Ban declared by the Province of Alberta and the conditions imposed thereto take precedence over a Fire Ban issued by the County.

12.5. Fire Bans shall remain in effect until terminated by the County Manager.

12.6. Notice of a Fire Ban shall be provided to the public. Notice may be in the form of signs posted throughout the municipality in locations determined by the County, through a public service message on the local radio stations, or by any other means which the County Manager determines is appropriate.

12.7. When a Fire Ban has been imposed, Fire Permits issued in accordance with this Bylaw are deemed to be cancelled and all existing fires that the Fire Ban applies to are to be extinguished.

- 12.8. For the duration of a Fire Ban, Fire Departments within the County are authorized to extinguish any fire that the Fire Ban applies to, whether controlled or not, within the area subject to the Fire Ban.

13. CONTROL OF FIRE HAZARDS

- 13.1. Inspection Officers shall be given access at reasonable hours to both private and public land for the purpose of inspecting the property to determine whether a fire hazard exists.
- 13.2. No person shall light an Outdoor Fire, Incinerator Fire, Burning Barrel Fire, Recreation Fire, Smudge Fire or Structural Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.
- 13.3. If an Inspection Officer determines, in his/her sole discretion, that a fire hazard exists on private or public land, the County Manager may order the owner or person in control of the land on which the fire hazard exists to reduce or remove the hazard within a specified period of time and in a manner prescribed by the County Manager.
- 13.4. No person shall set, permit or maintain any fire at any time of the year such that the smoke emitted from the fire impairs visibility on a highway, or which in the sole discretion of an Inspection Officer, becomes a nuisance or safety concern on any highway or property. The person who set, permitted or maintained such a fire shall extinguish the fire immediately upon the order of an Inspection Officer.
- 13.5. If an order made pursuant to Sections 13.3 or 13.4 has not been carried out within the time specified, the County may enter the land with any equipment or personnel it considers necessary and perform any work required to reduce or remove the fire or smoke hazard.
- 13.6. The owner or person in control of the land in which work was performed by the County pursuant to Section 13.5, shall, on demand, reimburse the County for the cost of the work performed, and in default of payment, the amount levied and unpaid shall be added to the tax roll of the subject parcel of land.

14. ILLEGAL FIRE

- 14.1. Any Peace Officer or Member may extinguish an Illegal Fire using whatever Apparatus, Equipment or procedure may, at his/her sole discretion, be deemed appropriate.
- 14.2. The owner or person in control of the land on which work was performed by the County pursuant to Section 14.1, shall, on demand, reimburse the County for the cost of the work performed, and in default of payment, the amount levied and unpaid shall be added to the tax roll of the subject parcel of land.

15. RECOVERY OF COSTS

- 15.1. Where a Fire Department has taken any action whatsoever for the purpose of providing Fire Protection and Emergency Response Services in or outside of the County, the County may charge any fees and costs so incurred to any or all of the following persons, namely:
- a) the person or persons causing or contributing to the fire; or
 - b) the owner or occupant of the parcel of land or any other thing in respect to which the action was taken
- and all persons charged are jointly and severally liable for payment of the fees and costs to the County.
- 15.2. The fees and costs to be charged by the County for Fire Protection and Emergency Response Services rendered pursuant to this Bylaw shall be established by Council from time to time.

15.3. Fees or costs levied or charged under this Bylaw may be recovered by the County as an amount due and owing to the County, and in the event that the amount due and owing is not paid within 60 days of mailing of the invoice, collection of unpaid amounts may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the County is entitled to on the parcel of land in respect of which the indebtedness is incurred.

15.4. The owner of a parcel of land within the County to which Fire Protection and Emergency Response Services are provided is liable for fees and costs so incurred and the County may add to the tax roll of the parcel of land all unpaid amounts, which forms a special lien against the parcel of land in favour of the County from the date the amount was added to the tax roll.

16. OFFENCES

16.1. No person, or property owner shall:

- a) contravene any provision of this Bylaw;
- b) provide false, incomplete or misleading information to any person authorized to carry out duties authorized by this Bylaw;
- c) interfere with the efforts of any person authorized to carry out duties authorized by this Bylaw;
- d) damage or destroy any Fire Department Apparatus or Equipment;
- e) at an incident, drive a vehicle over any Fire Department Equipment without permission of the Member in Charge;
- f) falsely represent themselves as a Member or wear or display any Fire Department clothing, badge, insignia or other paraphernalia for the purpose of such false representation;
- g) light an Outdoor Fire or Structure Fire unless they are a holder of a Fire Permit if required under this Bylaw or the *Forest and Prairie Protection Act*;
- h) contravene any condition of a Fire Permit when lighting a fire or conducting a burn;
- i) burn Prohibited Debris;
- j) set, permit or maintain any fire such that the smoke emitted from the fire impairs visibility on a highway, or which in the sole discretion of an Inspection Officer, becomes a nuisance or safety concern on any highway or to neighboring persons or property;
- k) let a fire to burn out of control so as to threaten or cause damage to adjacent property;
- l) light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
- m) fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto neighboring property;
- n) affix any tool or other device to a fire hydrant or paint or otherwise tamper with a fire hydrant without prior approval from the County;
- o) fail to extinguish a fire once a Fire Ban has been imposed;
- p) allow any fire to be lit upon land that is owned or occupied by him/her or under his/her control except when such fire is permitted by this Bylaw;
- q) light, have care, or control of a Burning Barrel Fire 1) without the fire being contained in a non-combustible structure or container, or 2) without the structure or container being covered with a spark arrester mesh screen made of expanded metal (or equivalent) with openings no larger than 13 millimeters (1/2") to contain sparks over the fire at all times;
- r) light, have care, or control of a Burning Barrel Fire in a multi-lot residential, commercial or industrial subdivision or in a hamlet;

- s) light, have care, or control of a Fire in an unapproved container in an industrial subdivision;
- t) sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Sale and Storage Permit.
- u) possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Permit.

17. VIOLATION TAGS

17.1.A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

17.2.A Violation Tag may be issued to such person:

- a) personally;
- b) by regular mail sent to the postal address of the person as shown on their Operator's License issued in accordance with the Traffic Safety Act, their tax assessment roll, or on the certificate of title for the property; or
- c) by leaving it with a person apparently over 18 years of age at the place of residency of the person to whom the Violation Tag is addressed.

17.3.The Violation Tag shall be in a form approved by the County Manager and shall state:

- a) the name of the person to whom the Violation Tag is issued;
- b) a description of the offence and the applicable Bylaw section;
- c) the Specified Penalty for the offence;
- d) that the penalty shall be paid within 30 days of the issuance of the Violation Tag in order to avoid prosecution; and
- e) any other information as may be required by the County Manager.

17.4. Where a Violation Tag has been issued pursuant to this Bylaw the person to whom it has been issued to may, in lieu of being prosecuted for the offence, pay to the County the penalty specified within the time period indicated on the Violation Tag.

18. VIOLATION TICKETS

18.1.In the event a Violation Tag has been issued and the Specified Penalty has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket, pursuant to Part 2 of the *Provincial Offences Procedure Act*, to the person to whom the Violation Tag was issued.

18.2.Notwithstanding Section 17.1, a Peace Officer may immediately issue a Violation Ticket to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

18.3.If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- a) Specify the fine amount established by this Bylaw for the offence, or
- b) Require a person to appear in court without the alternative of making a voluntary payment.

18.4. A Violation Ticket issued with respect to a contravention of any provision of this Bylaw shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.

18.5. The person to whom a Violation Ticket with a Specified Penalty has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together in amount equal to the Specified Penalty.

18.6. When a clerk records in the Court records the receipt of a voluntary payment pursuant to Section 18.5 and the *Provincial Offences Procedure Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the Specified Penalty.

19. SEVERABILITY

19.1. Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, the such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section or part found to be improperly enacted had not been enacted as part of this Bylaw.

20. GENERAL

20.1. This Bylaw shall be in effect on the date of the final passing thereof.

20.2. This Bylaw repeals Bylaw No. 1208/15.

Received first and second readings, and by unanimous consent of the Councillors present, a third reading and finally passed this 11th day of March 2021.



Paula Law
Reeve



Tim Timmons
County Manager

SCHEDULE A
Fire Protection and Emergency Response Bylaw

Bylaw Section	Offence	First Offence	Second Offence	Third Offence
16.1(a)	Contravene any provision of this Bylaw	\$250	\$500	\$1,000
16.1(b)	Provide false, incomplete or misleading information to any person authorized to carry out duties authorized by this Bylaw	\$500	\$1,000	\$2,500
16.1(c)	Interfere with the efforts of any person authorized to carry out duties authorized by this Bylaw	\$1,000	\$2,000	\$5,000
16.1(d)	Damage or destroy any Fire Department Apparatus or Equipment	\$1,000	\$2,000	\$5,000
16.1(e)	At an incident, drive a vehicle over any Fire Department Equipment without permission of the Member in Charge	\$250	\$500	\$1,000
16.1(f)	Falsely represent themselves as a Member or wear or display any Fire Department clothing, badge, insignia or other paraphernalia for the purpose of such false representation	\$500	\$1,000	\$2,500
16.1(g)	Light an Outdoor Fire or Structure Fire unless they are a holder of a Fire Permit if required under this Bylaw or the <i>Forest and Prairie Protection Act</i>	\$250	\$500	\$1,000
16.1(h)	Contravene any condition of a Fire Permit when lighting a fire or conducting a burn	\$250	\$500	\$1,000
16.1(i)	Burn Prohibited Debris	\$250	\$500	\$1,000
16.1(j)	Set, permit or maintain any fire such that the smoke emitted from the fire impairs visibility on a highway, or which in the sole discretion of an Inspection Officer, becomes a nuisance or safety concern on any highway or to neighboring persons or property	\$250	\$500	\$1,000
16.1(k)	Let a fire to burn out of control so as to threaten or cause damage to adjacent property	\$500	\$1,000	\$2,500

16.1(l)	Light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times	\$250	\$500	\$1,000
16.1(m)	Fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto neighboring property	\$500	\$1,000	\$2,500
16.1(n)	Affix any tool or other device to a fire hydrant or paint or otherwise tamper with a fire hydrant without prior approval from the County	\$500	\$1,000	\$2,500
16.1(o)	Fail to extinguish a fire once a Fire Ban has been imposed	\$1,000	\$2,000	\$5,000
16.1(p)	Allow any fire to be lit upon land that is owned or occupied by him or under his/her control except when such fire is permitted by this Bylaw	\$250	\$500	\$1,000
16.1(q)	Light a Burning Barrel Fire without the fire being contained in a non-combustible structure or container or without the structure or container being covered with a spark arrester mesh screen made of expanded metal (or equivalent) with openings no larger than 13 millimeters (1/2") to contain sparks over the fire at all times	\$250	\$500	\$1,000
16.1(r)	Light a Burning Barrel Fire in a multi-lot residential, commercial or industrial subdivision, or in a hamlet	\$250	\$500	\$1,000
16.1(s)	Light a Fire in an unapproved container in an industrial subdivision	\$250	\$500	\$1,000
16.1(t)	Sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Sale and Storage Permit	\$250	\$500	\$1,000
16.1(u)	Possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Permit	\$250	\$500	\$1,000

TOWN OF BENTLEY

FIRE DEPARTMENT RESPONSE Monkey Top Fire January 16 & 17

RECOVERABLE COST IN ACCORDANCE WITH Bylaw 128/2008 and Policy 50/2014 Town of Bentley & Bylaw 1337/21 Lacombe County

RECOVERABLE COSTS TO BE BILLED (in accordance with policy)

	Invoice #	Hours	Rate Recoverable as per Policy 50/2014	Total Recoverable Fees (including 15% Admin Fee as per Policy)	Comments
Town of Blackfalds				\$ 595.34	Staff Time (response Jan 16th) (actual costs no admin fee)
Lacombe Fire Response				\$ 25,440.00	Lacombe Equipment Time (response 16th and 17th) (actual costs no admin fee)
DB Bobcat				\$ 2,451.75	Hoe Mobilization & John Deere Excavator (actual cost - no admin fee)
Eckville Fire Department		10.25	\$ 500.00	\$ 5,125.00	Town of Bentley Engine Response in December (actual cost - no admin fee)
Lacombe County	IVC00044713			\$ 33,612.09	

Town of Bentley

\$ 6,827.18 Paid Volunteer Fire Fighter Time

TOTAL RECOVERABLE COSTS TO BE BILLED

\$ 40,439.27 Total Recoverable Costs



R.R. 3
 Lacombe, AB
 T4L 2N3
 Phone: 403-782-6601
 Fax: 403-782-3820
 email: finance@lacombecounty.com

I N V O I C E

TOWN OF BENTLEY
 BOX 179
 BENTLEY AB T0C 0J0

GST Reg. #:	R121772545
Customer #:	TOWN005
Invoice Date:	2024-02-22
Invoice #:	IVC00044713
Page:	1



Invoice Description	Quantity	U of M	Unit Price	GST	Amount
BLACKFALDS FIRE RESPONSE	1.00	Each	\$595.34	\$0.00	\$595.34
DB BOBCAT SERVICES	1.00	Each	\$2,335.00	\$116.75	\$2,335.00
LACOMBE FIRE RESPONSE	1.00	Each	\$25,440.00	\$0.00	\$25,440.00
ECKVILLE TENDER	10.25	Each	\$500.00	\$0.00	\$5,125.00
FIRE REPORT JAN 16, 2024 MUTUTAL AID FIRE RESPONSE TO STRUCTURE FIRE AT 5002 50 AVE BENTLEY FILE #: 03-24-0003					

Subtotal:	\$33,495.34
Tax:	\$116.75
Total:	\$33,612.09

Payment is due within 30 days of date of invoice, interest will be charged at 2% per month on overdue accounts.

Visit Our Website at:
www.lacombecounty.com

INVOICED BY LACOMBE COUNTY

January 16th

Lacombe Fire Response	\$ 25,440.00	(includes mutual on 16th and 17th)
Blackfalds Fire Response	\$ 595.34	
DB Bobcat Services	\$ 2,451.75	
Bentley Fire Personell Payroll	\$ 6,827.18	
Eckville Fire	\$ 5,125.00	
	<u>\$ 40,439.27</u>	

NO CHARGE COSTS

	January 16th		January 17th		January 23rd	
Bentley Fire	Original	\$ 22,475.00	Rekindled	\$ 1,275.00	Investigation	\$ 2,100.00
	Rekindled	\$ 1,275.00	Rekindled	\$ 3,000.00		
						<u>\$ 30,125.00</u>

TOTAL COST: \$ 70,564.27



OPPORTUNITY CHANGES EVERYTHING

Opportunity Changes Everything



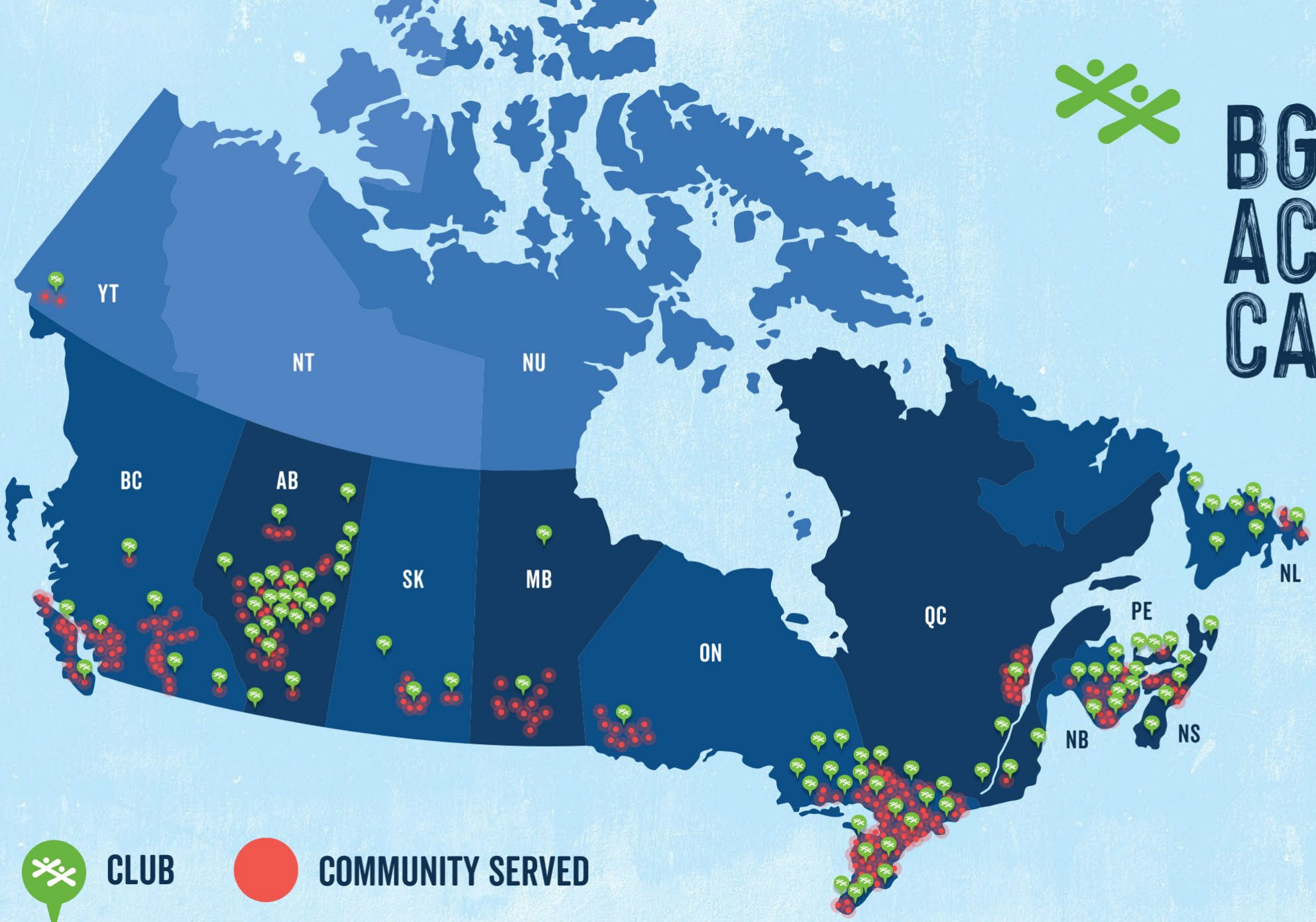
**Town of Bentley
Presentation**



Wolf Creek



BGC CLUBS ACROSS CANADA



CLUB



COMMUNITY SERVED



our mission

To provide safe, supportive places where children and youth can experience new opportunities, overcome barriers, build positive relationships, and develop confidence and skills for life.

our vision

All children and youth discover and achieve their dreams and grow up to be healthy, successful, and active participants in society.

our values



belonging

We welcome everyone in a safe, accepting environment based on belonging and positive relationships.



respect

We ensure that everyone—children, youth, families, volunteers, staff—is heard, valued, and treated fairly.



encouragement and support

We encourage and support every child and youth to play, learn, and grow to achieve their dreams.



working together

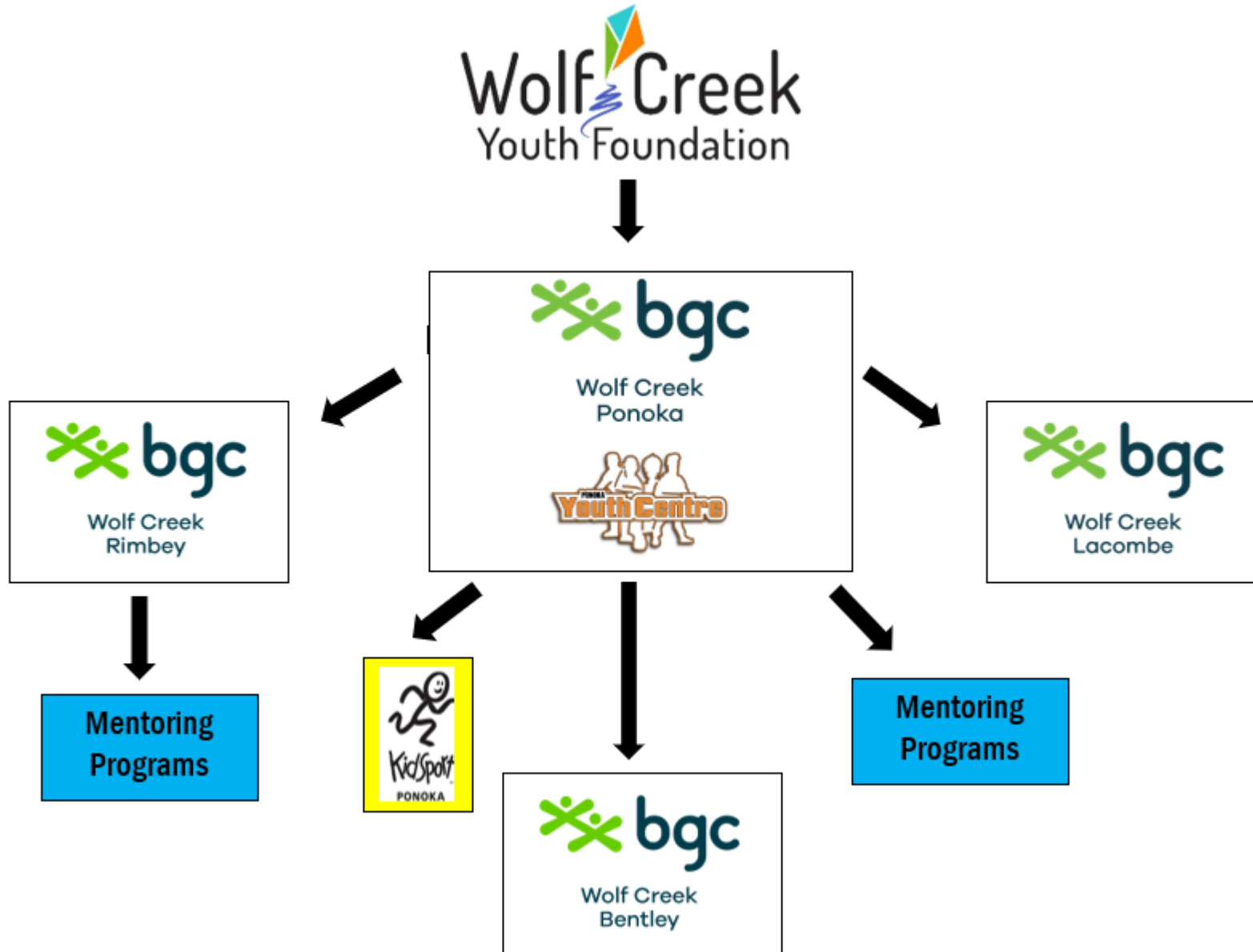
We work together with young people, families, volunteers, our communities, and government.



speaking out

We speak out for children, youth, and families so that we can make our world better.

Who We Are Locally!



after school programs



homework help

tutoring



stem education

financial education



scholarships



job readiness

volunteering

civic engagement

summer camps

mentoring

digital literacy



What Clubs do



mental health & wellness



crime prevention

physical fitness & sports

restorative justice

nutrition & food education

healthy snacks & meals

breakfast programs



youth leadership



6

Club locations

31,883

visits



95

In-School Mentoring Matches

80

volunteers

2,225

volunteer hours



25,750

healthy meals and snacks served



30

staff members

Because of our Club...

84%

of our youth say
they are more
excited to try new
things!

82%

of our youth say they
have more people to
spend time with!

74%

of our youth say they
feel like they matter to
more people!

77%

of our youth say they are
more comfortable being
themselves!

76%

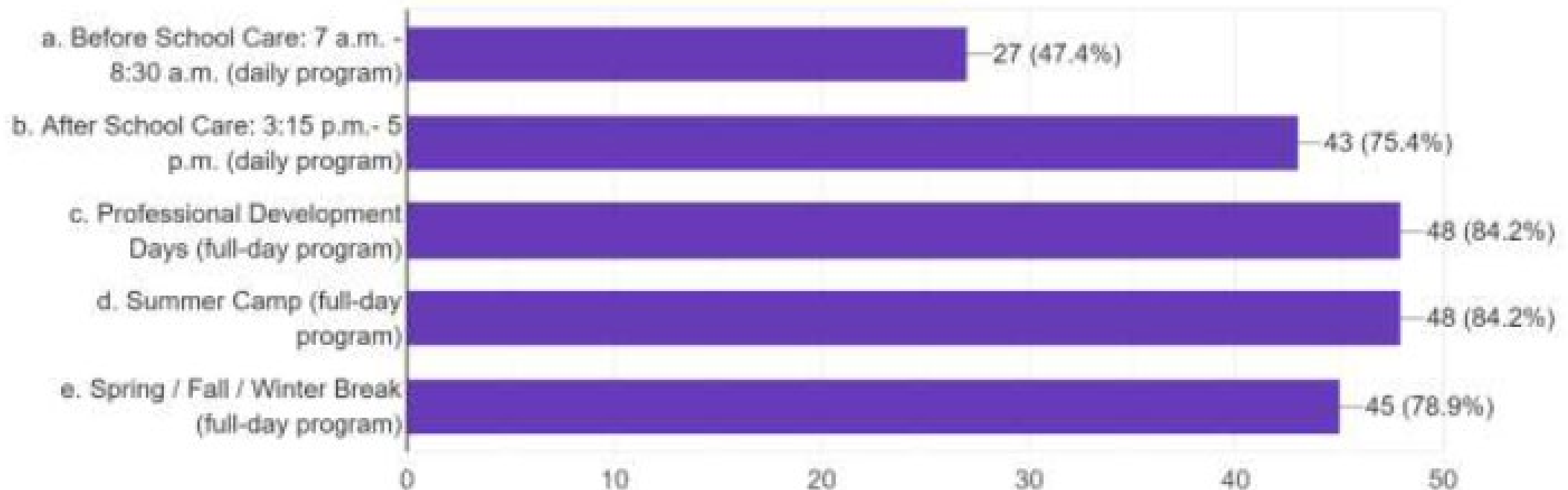
of our youth say they are
more aware of the
feelings of others!



Initial 2023 Needs Assessment

Please select the programs that you would access if they were available.

57 responses



BGC Programs In Bentley

PROGRAM DESCRIPTIONS

GRADES K - 6 PROGRAMS

After School Program
Monday - Friday
3:15p.m. - 5:45p.m.

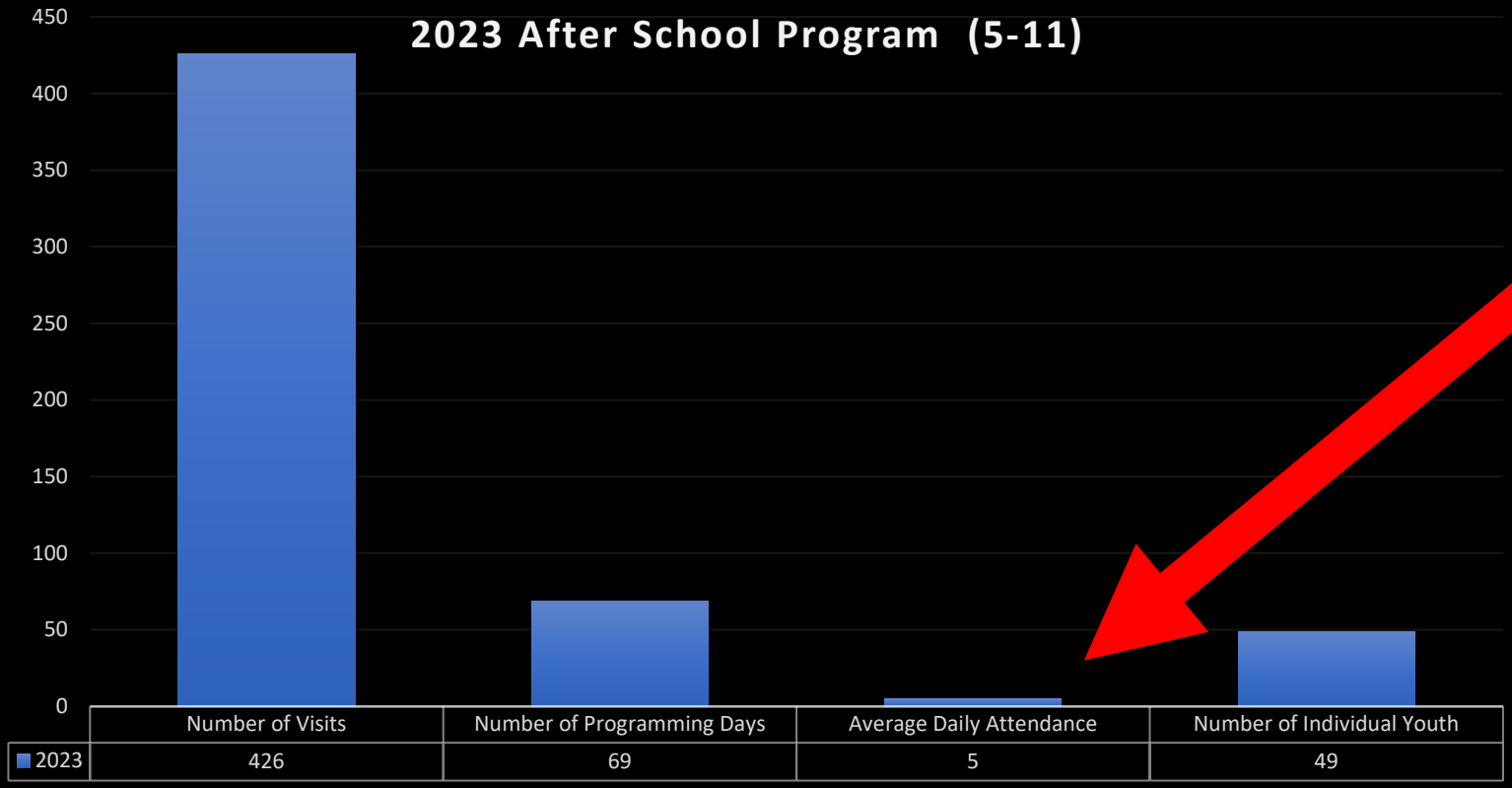
The After School Program offers a diversity of experiences that provide opportunities for adventure, play and discovery. It includes open-ended activities that support social, emotional and physical development through connecting with children and their families in a caring, positive and supportive way. It operates during the school year and includes indoor and outdoor active play, arts and crafts, imagination stations, life-skills instruction, leadership training, recreation and a nutritional snack.

S.O.D. (School's Out Day) Program
Professional Development Days
8:30a.m. - 5:30p.m.

The S.O.D. Program is a full-day program of engaging experiences organized in a similar fashion as the After School Program. The S.O.D. Program operates during the school year during Professional Development Days and In Lieu Days for schools.

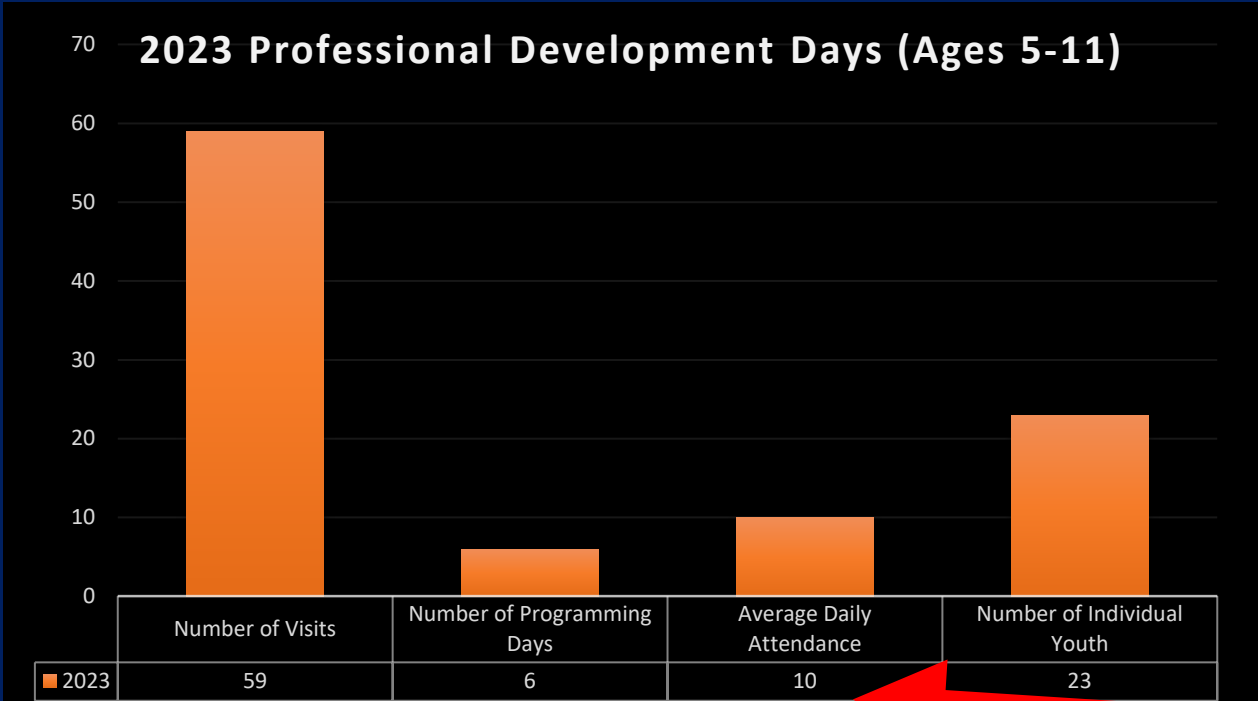
Actual Usage in 2023

2023 After School Program (5-11)



A minimum attendance of 13 children per day at a fee of \$15 per day needed to cover costs





A minimum of 13 children per day needed to cover costs.

2024 Daily Average Attendance

January – 4.75 children per day
 February – 6.75 children per day
 March – 7 children per day

2024 Bentley Budget

Income:	Projected:	Actual:
Child Registration Fees (13 youth/day)	\$48,000.00	\$22,150.00
Fundraising	\$ 4,000.00	\$0.00
Grants/Donations	\$30,000.00	\$1,500.00
Total Income Needed	\$82,000.00	\$23,650.00

Expenses:	Projected:	Actual:
Administration Costs	\$6,750.00	\$5,000.00
Wages	\$55,250.00	\$53,000.00
Programming Costs	\$20,000.00	\$17,000.00
Total Expenses	\$82,000.00	\$75,000.00

Shortfall for 2024 = \$51,350



Next Steps





Assessment Audit Report

2022 Roll (Tax Year 2023)

Town of Bentley

Alberta 

**Tax Programs and Assessment Audit
Grants and Education Property Tax Branch
Municipal Assessment and Grants Division
Municipal Affairs
15th Floor, Commerce Place
10155 102 Street
Edmonton AB T5J 4L4
Phone: 780-422-7125
Email: ma.assessment.audit@gov.ab.ca**

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PART A - EXECUTIVE SUMMARY

Introduction

Assessments must be equitable to ensure a fair distribution of municipal property tax and provincial education tax. The assessment audit program's focus is to promote assessment equity within a municipality and between municipalities by auditing and reporting on assessment performance and advancing best practices.

Detailed assessment audits combine factual, results-oriented ratio studies with a more investigative, process-oriented procedural audit to determine if assessments meet valuation and administration standards reasonably expected of municipal assessment programs. As well as market value assessments, rural detail audits review property classified as farmland, or machinery & equipment assessed at regulated rates that cannot be monitored by ratio studies.

Each year several detailed audits are scheduled. These audits can be initiated by a municipal request or by Minister's initiative. An audit can be specific to a municipality or can be based on property a group encompassing multiple municipalities.

Municipalities prepare assessments in accordance with Part 9 of the *Municipal Government Act (MGA)* and the regulations. Assessment audits are performed under authority of section 22 of the *Matters Relating to Assessment and Taxation Regulation 2018*, by assessment auditors appointed by the Minister of Municipal Affairs. The *Detailed Assessment Audit Manual* guides the auditors' work. This report is intended to be read in conjunction with the *Detailed Assessment Audit Manual*. The manual is meant for use by auditors to facilitate a consistent approach to detail audits or can be used by municipalities as a self-review tool.

Objective of the Audit

The objective of this detailed audit is to provide an unbiased opinion as to the quality of the municipality's assessment roll for the 2023 tax year. The opinion is based on a review of assessment performance by measuring the degree to which assessments meet regulated quality standards, and a review of procedures and administration of the municipality's assessment program. The audit also provides a means to identify and reinforce strengths in a municipality's assessment program and to identify where opportunities exist to improve assessments or assessment administration.

The audit meets this objective by providing brief findings and conclusions for individual tasks meeting best practice guidelines and legislative requirements as outlined in the *Detailed Assessment Audit Manual*. For tasks not meeting legislative or best practice requirements and requiring a recommendation, the auditor provides more detail and explanation of findings supporting conclusions.

Scope of the Audit

This detailed assessment audit reviews assessment performance for all properties the municipality is legislatively required to prepare assessments for, as well as an administrative review. Ratio studies serve as the primary tool for the objective evaluation of mass appraisal performance. The procedural review focuses on assessment preparation and involves a sample of properties for testing.

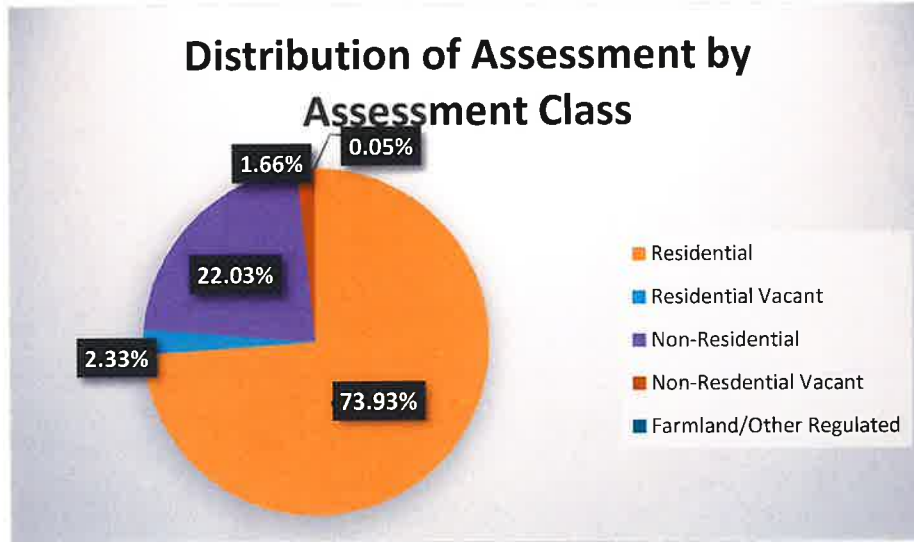
The following topics are out of scope for this audit:

- Provincial and municipal tax policy,
- Equalized assessment and education requisition policy,
- Business assessment and taxation provisions in Part 10 of the Act other than those for property tax, and
- Designated Industrial Property assessments prepared by or for the provincial assessor.

Distribution of Assessment

The Municipal Assessor is responsible for the assessment of 583 accounts with a combined 2022 annual assessment total of \$129,017,370.

Distribution by Property Type



Assessment Class	Parcel Count	Assessment Total	Percentage of Total Assessment
Residential	436	\$95,388,370	73.93%
Residential Vacant	52	\$3,003,000	2.33%
Non-Residential	64	\$28,426,000	22.03%
Non-Residential Vacant	27	\$2,140,000	1.66%
Farmland/Other Regulated	4	\$60,000	0.05%
Grand Total	583	\$129,017,370	100.00%

Assessment Year 2022, ASSET Load Summary

Distribution by Actual Use

For each assessable property, the assessor assigns a predominant actual use and if applicable, a secondary actual use. With the purpose of the actual use codes in mind, the assessor must base the decision on observation of the property relative to its use, and what the market would consider the typical use to be.

Actual Use	Parcel count	Assessment Total
Farm (Regulated Property)	4	\$60,000
Industrial	19	\$5,286,000
Lodging	1	\$651,000
Multi-Family	6	\$3,584,000
Office	15	\$12,493,000
Retail	29	\$9,996,000
Single Family Dwellings	425	\$91,041,370
Residential Condominium	5	\$763,000
Vacant Commercial	25	\$1,756,000
Vacant Industrial	2	\$384,000
Vacant Residential	52	\$3,003,000

Assessment Year 2022, ASSET Load Summary

Findings of Audit

In our opinion, the Town of Bentley, in preparing its assessment roll for the 2023 tax year meets the majority of legislated standards in the preparation of assessments for residential, non-residential, and regulated property types for which the municipality is responsible. Most aspects of the assessor's procedures and practices used in preparation of property assessments meet assessment best practices. The Town meets most requirements in administration of the assessment function.

Recommendations:

Compliance with Legislation Recommendations

The municipality must:

- 1) Review assessed person codes assigned to properties with exemption reason MGA 362(1)(a) - (k).
- 2) Update assessment notices with applicable statements to comply with legislation.
- 3) Ensure notice-of-assessment and complaint dates comply with legislation.

Best Practice Recommendations

The assessor must:

- 1) Assess all three multi-family apartment buildings using the income approach.
- 2) Update components and cost factors on machinery and equipment.
- 3) Update missing improvement sizes in the CAMA system.

Observations

- 1) The municipality should develop a formal *MGA* section 299/300 request form and process to ensure a formal assessment information request by a taxpayer is dealt with appropriately.

Acknowledgements

Cooperation received from the assessor and administrative staff of the Town of Bentley is greatly appreciated. We received all information, reports and explanations required to conduct the audit in a timely fashion.

Next Steps

The municipality's acceptance of recommendations demonstrates a commitment toward continued improvement of assessment practices and contributes to enhancing assessment quality across the province.

The assessor and chief administrative officer were asked for responses to conclusions and recommendations contained in the audit report; indicating planned actions to address recommendations, and the timeframe for completion. A follow-up audit will be conducted in 2024 to evaluate progress on actions taken by the municipality in addressing recommendations contained in the report.

Assessor Response

I would like to thank the Auditor for her detailed work and brought to light some issues that were very good to remedy. The process was very thorough and painless. We will ensure that the audit findings are reviewed and corrected.

We are currently in the process of moving all multi-family parcels to income valuation.

Thanks,

Kevin Bohlken, AMAA

Municipal Response

The Town of Bentley appreciates the detailed work of Municipal Affairs in conducting audits such as this assessment audit. Through reviews such as this we can continue to strive to improve processes and procedures within the municipality and ensure alignment to appropriate legislation. The Town of Bentley will correct any minor deficiencies noted in the audit.

Marc Fortais
Chief Administrative Officer (CAO)

PART B – PERFORMANCE REVIEW

Market value assessments must meet median assessment ratio and coefficient of dispersion standards. Performance based review (ratio studies) provides direct evidence of valuation accuracy and uniformity of properties assessed at market value. Ratio studies are the primary tool for objective evaluation and measurement of mass appraisal performance.

Sold Parcel Reconciliation

Using Land Titles data, the auditor reviews whether an unusual number of sales are not reported or deemed invalid by the assessor.

Findings:

Using *Land Titles Office* data, Assessment Audit reviews whether the assessor is reporting the appropriate number of sales from the preceding three years (July 1, 2019, to June 30, 2022). Results are summarized in the following table.

Matching 2022 IOV (Indicator of Value) submission to the LTC (Land Title Changes)				
Sales Period	Sales Period date range (land title date)	Number of LTC in each period	Number matched to LTC on the CoFT	Percent of IOV matched to LTC on the CoFT
P1	July 1, 2021, to June 30, 2022	29	28	97%
P2	July 1, 2020, to June 30, 2021	28	27	96%
P3	July 1, 2019, to June 30, 2020	28	28	100%
		85	83	

A review of the two unmatched records finds both are cancelled titles. Assessment Audit has no concerns.

Sales Verification

The importance of proper sales verification and processing cannot be overemphasized. The reliability of market analyses and sales ratio studies depends on the accuracy of sales data. Each sale must be screened and assigned a sales verification code designating whether the sale can be used by Assessment Audit in conducting ratio studies.

There are 18 sale verification codes in the *Recording and Reporting Information for Assessment Audit & Equalized Assessment Manual* (the R&R Manual) the assessor can apply to a sales transaction. It is the assessor's responsibility to code sales in accordance with this table (shown below). Flexibility in the assessor's CAMA system may allow the assessor other choices than the 18 prescribed by regulation. However, the assessor's tables must be cross-referenced to the one below. Assessors should rarely use sales coded as 8000 (Not verified).

Verification Code	Definition of Code
8000	Not verified
8001	Good sale
8002	Non-arm's length
8003	Involved trade
8004	Special financing
8005	Duress
8006	Partial interest
8007	From a sales agreement
8008	Foreclosure
8009	Sale of tax recovery property
8010	Government Sale
8011	Opinion of value from transfer document
8012	Leasehold interest
8013	Multiple parcel sale – apportion sale price
8014	Multiple parcel sale – combine AP assessment
8015	Developer-to-Builder sale - vacant land
8016	First time sale
8017	Farmland sale

The auditor examined a sample of titles and transfer documents to ensure the assessor's coding matches the purpose of the Land Titles documents.

Residential Property		Actual Use Group				Total
		MF	RC	SFD	VR	
Value Verification Codes	Used in Analysis					
8001 - Good sale	Yes	3	1	51	1	56
8002 - Non-Arm's Length	No			8	1	9
8005 - Duress	No			1	1	2
8008 - Foreclosure	No			5		5
	Yes			1		1
8011 - Opinion of value, transfer doc	Yes			7		7
Sales Period Total		3	1	73	3	80

Sales Code	Code Description	Not Used Analysis	Number Sampled	Auditor Comments
8002	Non-Arm's Length	9	9	The assessor includes notes as to why these sales are not used such as a family transaction.
8008	Foreclosure (transfers)	5	5	Normally these sales are not used, however; the assessor conducted further analysis and includes one foreclosure.

Non-Residential Property		Actual Use Group				Total
		IND	RET	VCOM	VIND	
Value Verification Codes		Used in Analysis				
8000 - Not Verified Sale		No				1
8001 - Good sale		Yes				1
8002 - Non-Arm's Length		No				2
8011 - Opinion of value, transfer doc		No				1
Sales Period Total		2	1	1	1	5

Sales Code	Code Description	Not Used Analysis	Number Sampled	Auditor Comments
8000	Not Verified	1	1	This code is meant to be a placeholder until verification has been completed by the assessor. The appropriate sale code should be assigned.
8002	Non-Arm's Length	2	2	The assessor included notes as to why these sales are not used.

The auditor focused more heavily on sales not used in the analysis. Excluding valid sales can result in a skewed ratio for equalization purposes. With so few sales available, the auditor looked at all sales occurring over the three-year time period. For sales not used in analysis, the code 8002 (*Non-Arm's Length*) was assigned most frequently, but narratives are included for the majority.

Findings and Conclusion:

The assessor should ensure all sales have appropriate codes assigned and the 8000 sale code is used as a placeholder only. Narratives should be provided when a sale is coded as *non-arm's length*. The auditor will use the assessor's submitted sales in conducting further analysis.

Time Adjustments

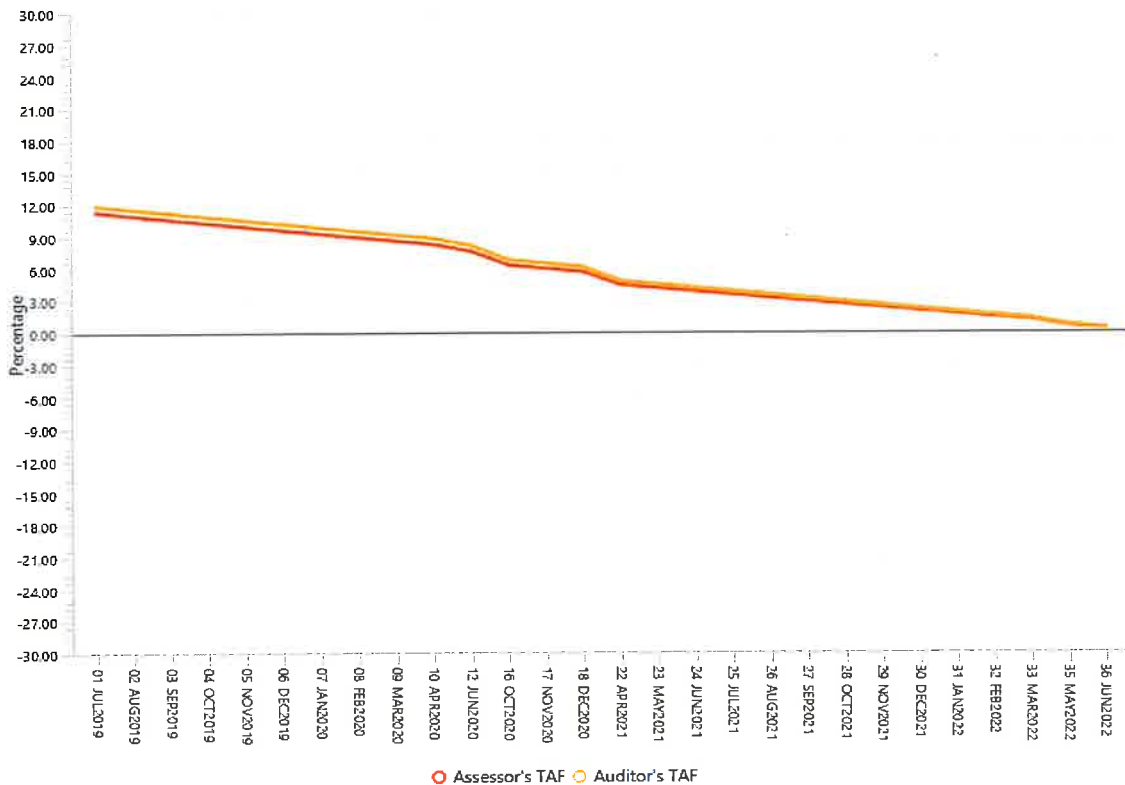
The *Matters Relating to Assessment and Taxation Regulation (MRAT)* states any assessment must be an estimate of value on July 1 of the assessment year. In this case, sale prices must be adjusted for time to the date of July 1, 2022. Assessment Audit requires three years sales in a ratio study; providing appropriate time adjustments are implemented. The purpose of this expanded period is to secure an adequate sample for property types having limited sales. Municipalities with an average of 100 SFD sales per year are flagged for inclusion in the ratio study and may choose to report only the most recent year. Three years sales are always required for non-residential property.

If the time adjustment is understated, the overall assessment level calculations are higher than they would be otherwise. Conversely, if the time adjustment is overstated, assessment level calculations are lower. Assessment levels are used to calculate equalized assessment (EA); and, inaccurate assessment levels impact EA, which can then impact education tax requisitions, cost-sharing agreements, and grant funding formulas.

One method of determining the time adjustment is the sales-ratio trend analysis. This is the method used most often in Alberta and has been used by the assessor. The ratio is the sale price/previous assessment or SAR.

The assessor used three years sales for analysis and developed time adjustment trends for single family dwellings, vacant residential and non-residential (vacant limited sales). A summary and comparison of the Assessor's and Auditor's analysis is provided in the following tables.

Residential:



Assessor's Count	Median ASR	COD	PRD
59	0.983	7.01	1.01
Auditor's Count	Median ASR	COD	PRD
59	0.979	7.01	1.01

The assessor's time adjustment rises to +11.31% for the eldest sale. The auditor's time adjustment trend is virtually identical.

There are only three Multi family sales and one residential condominium sale suitable for analysis. The assessor applies the same time adjustment as SFD.

Vacant residential has only one sale; not enough for statistical reliance. The assessor determined a flat (0%) time adjustment after reviewing listings and sales in similar municipalities. This is an acceptable practice in a small municipality with virtually no sales. Audit also reviewed all sales from the past 10 years, which have a median ASR of 0.98.

Non-Residential:

There are no improved, non-residential sales included in the analysis, and only one vacant sale (VCOM). There are not enough sales to make an accurate judgement. The assessor determined a flat (0%) time adjustment reviewing listings and sales in similar municipalities. This is an acceptable practice in a small municipality with so few sales.

Findings and Conclusion:

Assessment Audit concludes applied time adjustments and general trends are appropriate, and adopts them for the balance of this report.

Other Sale Price Adjustments

Occasionally, adjustments are warranted for other value influencing factors. Examples include personal property selling with the parcel, but not attributable to real property value. Such chattels may include trade tools/equipment, vehicles, pool tables, etc. The assessor contacts the vendor or purchaser to confirm sales information when warranted.

Findings and Conclusion:

No other adjustments were made however; the assessor should apply the corresponding 5017 sale adjustment to any 8011 (opinion of value from transfer document) sales that are used.

Ratio Studies

Market value assessments must meet median assessment ratio and coefficient of dispersion standards. Performance-based review (ratio studies) provide direct evidence of valuation accuracy and uniformity of properties assessed at market value.

Various statistical studies are implemented to review quality and uniformity of assessments within an assessment roll. Conclusions are made when the sample size is 15 or more sold properties within a particular stratum. If the sample is less than 15 but more than five, and if the sales are judged representative of the population, some weight may be accorded to the results. The *Matters Relating to Assessment and Taxation Regulation (MRAT)* sets forth requirements for assessment quality and uniformity. Statistical testing measures whether standards have been met. For any stratum, the median assessment ratio, and the corresponding coefficient of dispersion (COD) must be within the following ranges:

Property Type	Median Assessment Ratio (ASR)	Coefficient of Dispersion (COD)
Property containing 1, 2 or 3 dwelling units	0.950 – 1.050	0 – 15.0
All other property	0.950 – 1.050	0 – 20.0

The price related differential (PRD) is a non-regulated quality standard. PRD values between 0.98 and 1.03 indicate high and low value properties have assessments at similar percentages of market value. PRD values below 0.98 indicate there is progressive bias favouring low value properties and that high value properties are over-assessed. PRD values above 1.03 indicate a regressive bias favouring high value properties and that low value property are over-assessed.

Overall Ratio Study Results

Property Type	Property Count	Sale Count	Median ASR	COD	PRD	Met Standard
Single Family Dwellings VQ 1-2	182	20	0.969	9.1	1.01	Yes
Single Family Dwellings VQ 3-4	243	39	0.989	5.9	1.01	Yes
Residential Condominium	5	1*	0.961	0	1.00	Yes
Multi-Family	6	3*	0.961	0	1.01	Yes
Vacant Residential	52	1*	0.981	0	1.00	Yes
Industrial	19	0	1.000	N/A	N/A	N/A
Commercial – Retail	30	0	1.000	N/A	N/A	N/A
Commercial – Office	15	0	1.000	N/A	N/A	N/A
Vacant Non-Residential	27	1*	1.000	0	1.00	Yes

*Important note: Little statistical inference is made from strata with fewer than 15 sales. This rule permeates this report and effected strata are highlighted with an asterik.

Findings and Conclusion:

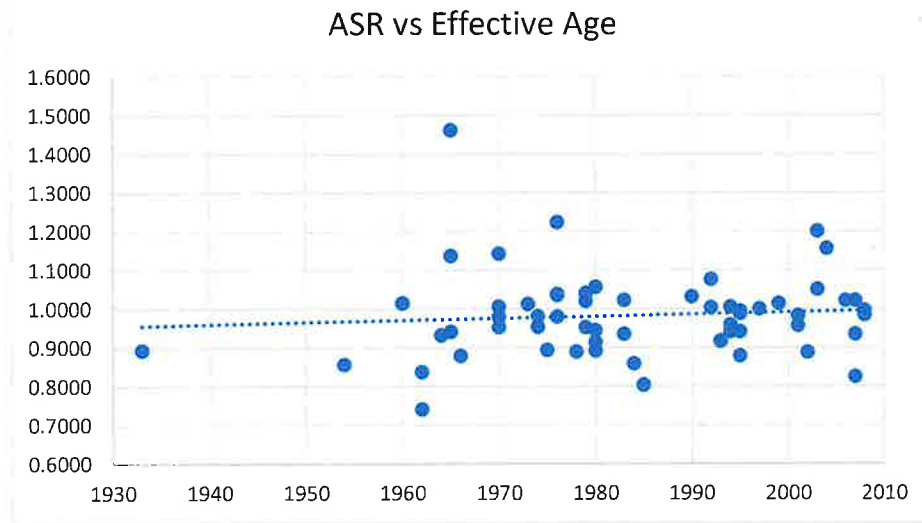
At this level of stratification, quality standards for median ASR and COD have been met for groups with sufficient sales. Residential condominiums, multi-family, vacant residential and vacant non-residential do not contain sufficient information to draw a conclusion; but meet standard even with few sales. Uniformity results meet standards for all groups.

Residential Property Stratification Results

The Town of Bentley assesses residential property using the market-adjusted cost approach to derive market values for improved properties, and the direct sales (market) approach to derive land values. Residential properties are stratified into single family dwellings (SFD), multi-family (MF), residential condominiums (RC) and vacant residential (VR). Only SFD has sufficient sales for further stratification.

Findings: Single Family Dwellings (SFD)

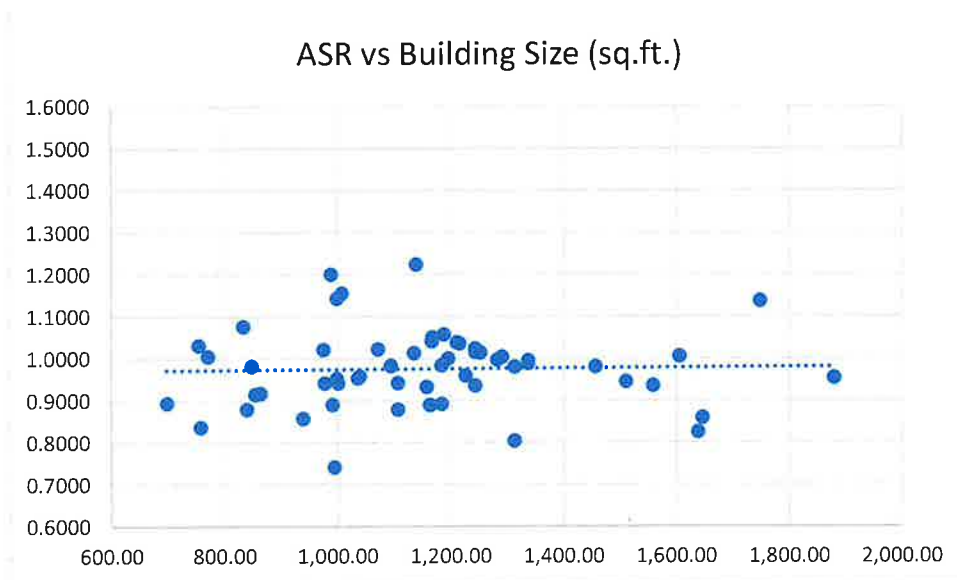
SFD Properties by Age:



ERA	Sale Count	Median ASR
1900-1960	2	0.876
1960s	8	0.937
1970s	16	0.994
1980s	8	0.925
1990s	13	0.995
2000s	12	0.991

The age bands outside standard, includes homes older than 1970 and homes from the 1980s; however, each of these strata have fewer than 15 sales. The regression test of the ASR plotted by age strata was applied in order to determine whether the residential properties were assessed uniformly across the age groups. The above scatter plot shows a relatively flat line suggesting assessments appear to be reasonably equal across the age groups.

SFD Properties by Building Size:



Building Size (sq. ft.)	Sale Count	Median ASR
< 1,100	25	0.958
1,100 - 1,300	21	1.004
1,300 - 1,500	5	0.981
1,500 - 1,800	6	0.940
> 1,800	2	0.924

Median ASRs for single family homes larger than 1,500 sq.ft. are outside standard; however, both of these strata have fewer than 15 sales. The regression test of the ASR plotted by building size strata was applied in order to determine whether the residential properties were assessed uniformly across the building sizes. The above scatter plot shows a flat line suggesting assessments appear to be equally prepared throughout the building sizes.

Findings and Conclusion:

As the previous study illustrates, values correlate reasonably with sale prices, and meet standard.

Sample Property Review

Direct, property-specific observation can reveal subtleties not apparent in a strict statistical analysis (preceding sections). The auditor viewed a sample of properties, including various architectural styles, ages, locations, qualities, and lot sizes. The review process checks if cost new, depreciation, and land values are applied consistently to similar properties. The review also checks the inventory of structures (dwelling, garages, sizes...etc.). Direct observation confirms changes in inventory (additions/deletions) are reflected in the assessment record. *Quality* adjustments and market land influences were both reviewed and are being applied in an appropriate manner. The sample includes numerous sold properties, where their corresponding assessments align reasonably with sale prices. Sales are compared to similar properties that have not sold, to verify all properties are being treated equally.

Findings and Conclusion:

The auditor discovered very few anomalies during viewing; these are expanded upon later in the report. Direct observation confirms the assessor has accurate property data; and changes in inventory (additions/deletions) are reflected in the assessment record.

Valuation of Market Value Property

The *Property Assessment in Alberta Handbook*, the *IAAO Standard on Mass Appraisal*, and the *IAAO Standard on the Three Approaches to Value* specify which valuation approaches are most commonly used for different property types. The valuation method should reflect the primary motivation for ownership. If it is more likely, the property is owned for its lease-income-producing merits, then the income approach. If the likely motivation for ownership is utility/occupancy, then the cost approach. The availability of market information (e.g., sales and rent data) and the property type usually determine the best approach (es) to employ.

Residential - Vacant Land

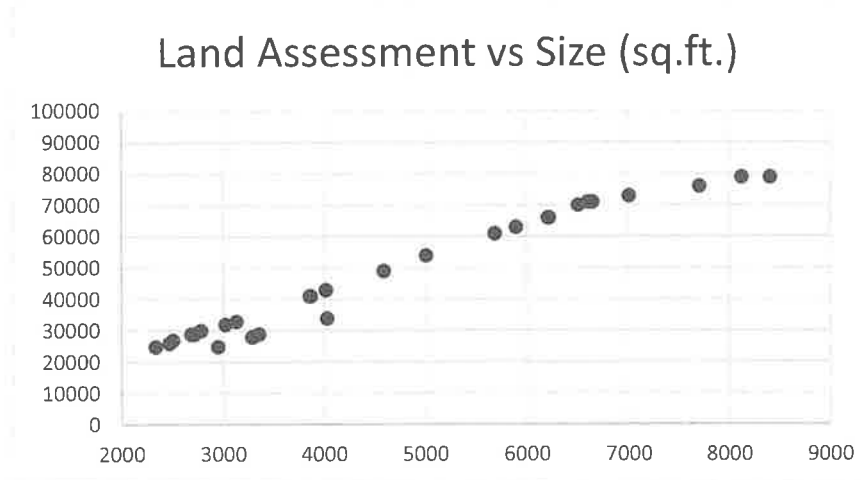
The assessor uses the market comparison approach for vacant residential (VR). The assessor reviews sales from prior years, deriving table-driven square foot and acreage rates (and constants) for each of the analysis districts; with several size ranges. Developing a rate schedule for neighborhoods and sizes reduces the subsequent need for adjustments. Remaining value-influencing factors require additional adjustments.

The following table shows which site adjustments the assessor applied:

Assessor Land Influence	Property Count
Excess Land Adjustment	4
Unable to Develop	1
Rear Lane Access Only	1
Utility	2

The market land influence adjustments seem reasonable. There are too few valid sales for analysis from the preceding three years. Review included sales from the past 10 years, and although there are only 13 sales, the median ratio is within standard. Data was compared to other municipalities with similar influences to provide an indicator of equity.

Size Range (sq. ft.)	Area Rate	Constant
0 – 6,600	\$10.69	\$0
6,600 – 8,247	\$5.28	\$35,650
8,247 – 10,890	\$1.77	\$64,601
10,890 – 43,560	\$1.06	\$72,375
43,560 – 435,600	\$0.15	\$111,899
435,600 – 6,969,600	\$0.02	\$169,434



Based on data from comparable municipalities, vacant land assessments appear reasonable. The last assessment rates reasonably reflect the principle of *diminishing returns*, where larger lots are worth more, but at a declining rate.

Findings and Conclusion:

Residential land assessments make intuitive sense. With consideration for adjustments, the assessor should review adjacent properties to ensure all properties warranting adjustments are applied. The ASR for the single sale is 0.98 and meets standard.

Residential – Improved Property

Improved residential property includes Single Family (SFD), Residential Condominium (RC) and Multi-Family (MF). The three valuation approaches are sales comparison, income, and cost respectively. The assessor uses the market modified cost approach for each group. Sales information is analyzed to determine various market factors, modifiers, etc., used in the valuation process. The primary purpose of these factors is to compensate for the difference between depreciated value of improvements (through the application of the assessment cost manual) and the local market. Factors are developed using a combination of improvement *model*, *quality* and *structure* types by economic zones. These are coded in the CAMA system and applied across the population. Depreciation is managed by effective-aging and assigning CDU codes (condition, desirability, and utility). Effective aging is an adjustment of actual age of a building to reflect an addition or significant renovation that extends the improvement's remaining economic life.

Single Family Dwellings

CDU codes are a tool to assist the assessor in determining effective age. CDU codes alter the rate of depreciation. The default condition is "average," reflecting "typical" wear and tear. In practice, changes to the CDU code are made to recognize renovations temporarily enhancing market value or, conversely where improvements have been neglected in comparison to neighbouring property. Below is the CDU rating table from the 2022 *Recording and Reporting Information for Assessment Audit and Equalized Assessment Manual*:

CDU Rating	Description
Poor	Deteriorating to a point where major repairs and/or replacements are required.
Fair	Discernable deterioration; deferred maintenance requiring rehabilitation and/or replacement; reduced utility with signs of structural decay.
Average	Normal deterioration for age; moderate maintenance; somewhat less attractive; average to good utility; minor repairs or rehabilitation of some components required.
Good	Slight evidence of deterioration in minor components; well maintained; attractive; desirable; and high utility.
Excellent	Superior condition; very attractive and highly desirable; components new or as good as new.

The following table summarizes the overall CDU ratings applied for primary residential improvements:

CDU Rating	Count	% Total
Poor	11	3%
Fair	15	3%
Average	401	92%
Good	9	2%
Excellent	0	
Total	436	100%

The majority of properties have been assigned an average CDU rating; this represents 92% of the population. These are stratified further by effective age.

Effective Year	CDU			
	Poor	Fair	Average	Good
Pre 1940s	1	1	1	
1940s		1	6	
1950s	2	2	29	1
1960s	2	3	63	3
1970s	4	3	91	5
1980s	1	4	51	
1990s	1		76	
2000s		1	74	
> 2009			10	
Total	11	15	401	9

Residential Condominiums

There are five properties coded as residential condominiums. After reviewing the condominium plan there are actually six units in total. Roll 641000 currently has an SFD actual use code assigned, and it should be R1-03-00, this has been sent to the assessor. The assessment details for all six units are outlined below:

Roll		Model Type	Quality	Structure	Floor Area (sq. ft.)	Bsmt Finish	CDU	Assessed Value
632000	Unit #1	70	04	00	600	No	Average	\$122,000
634000	Unit #2	70	04	00	600	No	Average	\$122,000
637000	Unit #3	70	05	00	816	No	Average	\$166,000
639000	Unit #4	70	04	00	816	Yes	Average	\$145,000
641000	Unit #5	70	05	00	1,008	No	Average	\$186,000
643000	Unit #6	70	05	00	1,008	Yes	Average	\$208,000

It is atypical for a complex of this size to have varying building qualities. The interior finishes will be of similar quality and the difference in value will be reflected by characteristics such as floor area, garage area or basement finish. There are two sales from the three preceding years with a median ASR within standard.

Multi-Family

Multi Family (MF) housing for assessment purposes includes property with four or more dwelling units on a single title. The current assessment roll reports six accounts as MF; one senior's complex (one duplex & one row house with 4 units), one senior's lodge, three low rise apartment buildings, and a mobile home park.

The two properties for seniors are both assessed using cost, the senior's complex is fully exempt while the senior's lodge is subject only to municipal taxes. Two of the apartment buildings have the same owner and are nearly identical buildings built side by side. Actual income information was provided to the assessor by the owner, and both of these buildings are being assessed using the income approach.

Roll	Suite Type	# of Units	Market Rent	Vacancy	Expense Ratio	Non Recoverables	Reserves	Cap Rate
886000	One Bedroom - Average	2	\$760/month	5%	55%	1%	1%	7.75%
	Two Bedroom - Average	4	\$880/month					
890000	One Bedroom - Average	2	\$760/month	5%	55%	1%	1%	7.75%
	Two Bedroom - Average	4	\$880/month					

The third apartment building consists of only four units and is currently being assessed using the cost approach. The assessor has indicated an RFI was received last year. For consistency, it is advised the assessor value this apartment building using the income approach, with RFI information received from this building as well as the other two.

The mobile home park consists of 49 stalls and includes residential vacant land, farmland, and three residential improvements. It is being valued using the cost approach, and the 49 stalls are assessed using the Marshall and Swift manual.

There were three multi-family sales in the analysis period. One was incorrectly coded as multi-family when in fact it is a single family home. The other two sales were for two - six unit apartment buildings purchased by the same owner. ASRs for the two sales are 0.95 and 0.96 and within standard.

Findings and Conclusion:

The quality assigned to all six residential condominium units should be reviewed. All multi-family apartment buildings should be assessed using the same approach to ensure consistency and equity.

Recommendation:

The assessor must assess all three multi-family apartment buildings using the income approach.

Non-Residential – Vacant Land

The vacant non-residential category includes: Vacant Industrial (VIND) and Vacant Commercial (VCOM). There are a total of 27 non-residential vacant properties: 2 Vacant Industrial and 25 Vacant Commercial.

With only three arm's length sales, requirements of mass appraisal relate to using similar valuation approaches and parameters. As with SFD, *Market Land Factors* are applied to further account for location, servicing, access, and topography.

Assessor Land Influence	Property Count
Account #979000	3
Dead End Hwy on 50 th Street	5
Excess Land Adjustment	1
Non-Hwy Industrial	7
Off Mainstreet Commercial	12
Parking	1
Rear Lane Access Only	1
Utility	4

The assessor indicates the influence for account 979000 references three adjoining properties having similar issues with lot depth and location. There is only one sale valid for analysis (vacant commercial) with an ASR of 1.00.

Findings and Conclusion:

Non-residential land assessments make intuitive sense. With consideration for adjustments, the assessor should review adjacent properties with and without influences applied to ensure all properties that warrant adjustments are applied. As the previous ratio study illustrates, values correlate reasonably with sale prices, and meet standard.

Non-Residential – Improved Property

The improved non-residential category includes Retail (RET), Office (OFF), Industrial (IND), and Lodging (LOD). There are a total of 64 non-residential improved properties: 29 Retail, 15 Office, 19 Industrial and 1 Lodging.

Any of the three approaches to value have applications for non-residential property. The three valuation approaches are: sales comparison, income, and cost. Sales comparison requires a sufficient mass of similar sales to invoke unit rates for modelling purposes. The income approach is based on the premise property values are expressed as a price-earnings multiple of typical rent. A sufficient number of rental rates from the area are required for the income approach to be valid and is rarely used in smaller municipalities. Income data should be collected where possible and used to support the assessed value.

The assessor reasonably chooses the cost approach for improved non-residential property. The biggest steps within the cost approach are land valuation, estimating replacement cost new (from a cost manual in most cases), and deducting depreciation. The assessor should collect rental information where possible to corroborate assessments prepared using the cost approach. Assessment Audit's review for this property type is similar to SFD. As with SFD there are a mixture of methods in "tuning" the cost approach to final assessments.

Just one property requires an AUC coding correction (details provided to the assessor). There are three properties with Machinery & Equipment (M&E), M&E is based on costs and the percentage of assessment used (77%) is regulated.

The industrial details were requested from the assessor, after review there is just one component that is missing a cost factor. All other components have the correct cost factors and assessment year modifiers applied. After discussion with the assessor, the inventory on all three accounts should be reviewed to ensure accuracy.

The assessor is using the *Marshall and Swift Manual* to calculate *Replacement Cost New (RCN)*. The *Marshall and Swift* manual is current and widely used.

There are no improved non-residential sales during the preceding three-year time period.

Lodging

According to information loaded in ASSET there is one hotel/motel in the Town of Bentley. It is classified as a limited-service hotel, the Bentley Hotel. The assessor uses Marshall & Swift to value the components (restaurant and hotel), and the calculations are reasonable.

Findings and Conclusion:

Improvement details and valuation were reviewed; components and their cost factors of all M&E should be reviewed annually.

Recommendations:

The assessor must update components and cost factors on machinery and equipment.

Inspections

It is best practice to incorporate a four to six year inspection cycle for all properties.

“Periodic field inspections can help ensure property characteristics data are complete and accurate. Assuming most new construction activity is identified through building permits or other ongoing procedures, a physical review including an on-site verification of property characteristics should be conducted at least every 4 to 6 years.”¹

The assessor should incorporate a simple five year cycle (20%/yr of properties inspected annually), to ensure all parcels are inspected regularly. The following table shows inspection frequency:

Inspection Year	Residential		Non-Residential		Total Inspected
	# Inspected	% Inspected	# Inspected	% Inspected	
2018	285	58%	49	54%	58%
2019	62	13%	5	5%	12%
2020	22	5%	13	14%	6%
2021	12	2%	1	1%	2%
2022	13	3%	9	10%	4%
Total	394	81%	77	84%	82%

Based on reported inspections, the assessor has inspected 82% of properties in a five-year cycle.

The following table shows the type of inspections conducted for each actual use group in 2022. The type of inspections available are not limited to those listed below:

Actual Use Group	# Parcels	# Inspected	% Inspected	Survey	Exterior
Commercial - Retail	29	9	31%	7	2
Commercial - Office/Lodging	16				
Industrial	19				
Multi-Family	6	4	67%	4	
Residential Condominiums	5				
Single Family Dwellings	425	9	2%		9
Vacant Commercial	25				
Vacant Industrial	2				
Vacant Residential	52				
Total	579	22	4%	11	11

¹ Standard on Mass Appraisal of Real Property, International Association of Assessing Officers, 2017, Pg. 4.

Explanation of Inspection Types:²

Door – The inspection involved going to the property and interviewing an occupant without physically inspecting the property.

Survey – A survey return was used to validate the property assessment information (e.g., e-mail, web-based or post mail).

MLS – Information is obtained from a realtor or a multiple listing service to validate the assessment information.

INT - An interior inspection of the improvements occurred on the property.

EXT - Property information validated by an exterior inspection of the property, but an interior inspection of the improvements did not occur.

DRIV - Property assessment information was validated by a drive-by inspection.

TELE – Property assessment information was validated by a telephone interview.

GIS/Aerial – Property information was validated by aerial photography or imagery.

Farm/Field – Farm land information was validated by onsite field inspection.

Findings and Conclusion:

There was a low percentage of inspections entered over the last three years, 2020-2023. The assessor has a valid inspection cycle process in place; however, it looks as though not all inspection types are being recorded in the CAMA system. Information is obtained from other avenues such as a surveys, MLS, telephone interviews and aerial photography. The assessor is encouraged to enter these inspection types to give a more accurate reflection of inspections, and to conduct further interior inspections when possible.

² Alberta Municipal Affairs, 2022 Recording and Reporting Information for Assessment Audit and Equalized Assessment Manual. Pg. 46.

Valuation Of Similar Property

Uniform and equitable assessments:

Sold vs Unsold Analysis:

The objective of ratio studies is to determine appraisal performance for the population of properties; that is, both *sold* and *unsold* parcels. If sold parcels are selectively reassessed based on their sale prices, assessed values in ratio studies are not representative, and ratio studies are distorted (the median ASR may be over or understated and the COD will be artificially low).

Findings:

Assessment Audit reviewed the *sold* sample and *unsold* population to determine if their change (or shift) in assessment from the previous year is similar (sale counts are from most recent year only). A substantially greater year-over-year change in assessment of sold properties, when compared to the year-over-year assessment change in unsold properties, could be an indication of selective re-assessment. For this audit's purposes, differences of greater than 5% between sold and unsold properties are flagged for review:

The results are as follows**:

Actual Use Group	Unsold Count	Sold Count	Unsold Median Assessment Change	Sold Median Assessment Change	Difference Sold vs Unsold
Industrial	17		2.50%		
Lodging	1		1.54%		
Multi Family	4	2	4.83%	-1.22%	6.05%
Office	15		0.03%		
Residential Condominium	4	1	3.94%	3.01%	-0.93%
Retail	27		3.84%		
Single Family Dwelling	358	53	6.43%	7.60%	1.17%
Vacant Commercial	24		0.73%		
Vacant Industrial	1		-0.17%		
Vacant Residential	50	1	7.42%	3.81%	-3.61%

**No statistical inferences are made on strata with fewer than 15 sales.

**These stats are taken from the Sold/Unsold report in ASSET and may have different filters applied.

Further analysis for the Single Family Dwelling actual use group where 15 or more sales were present is shown below**:

Stratifications	Unsold Count	Unsold Median Assessment Change	Sold Count	Sold Median Assessment Change	Difference Sold vs Unsold
SFD Properties by Parcel Size (sq ft)					
7,000 – 8,999	135	7.54%	20	8.31%	0.77%
SFD Properties by Quality					
04 - Standard	205	7.54%	37	8.44%	0.90%
SFD Properties by Era					
1960 - 1980	147	7.12%	20	8.89%	1.77%
1980 - 2000	107	6.23%	18	7.68%	1.45%
SFD Properties by Floor Area (sq ft)					
<1,000	86	6.35%	17	7.07%	0.73%
1,000 – 1,999	258	6.49%	34	7.97%	1.48%

**No statistical inferences will be made on strata with fewer than 15 sales.

**These stats were taken from the Sold/Unsold report ran in ASSET and may have different filters applied.

Conclusion:

Only Multi-Family is outside of tolerance, and with just two sales there is little statistical inference. Overall, there appears to be little difference in year-over-year assessment changes between *sold* and *unsold* properties. This confirms the conclusion made earlier based on field inspections, that sold and unsold properties are being treated equally.

PART C – PROCEDURAL REVIEW

Process-oriented procedural reviews focus on how assessments are prepared and whether legislative requirements are met, valuation regulations are adhered to, appropriate manuals are used, and if professional standards and guidelines are followed.

All Assessable Property Assessed:

Task Reviewed	Reference	Compliance	Comments
<i>Assessable properties are assessed</i>	Required by MGA s.285	Yes	All properties have an annual assessment.
<i>New and/or partially completed improvements assessed</i>	Required by MGA s.291	Yes	Samples of new construction permits from 2021/2022 were reviewed. There are subsequent changes in the assessment to reflect new construction.

Sufficient and Accurate Property Information:

Data Element Reviewed	Reference	Compliance	Comments
<i>a. Legal description</i>	Required by MGA s.293(3)	Yes	All parcels have legal descriptions in the CAMA system and report to ASSET.
<i>b. Parcel size</i>	Required by MGA s.293(3)	Yes	All parcels have a parcel size in the CAMA system and report to ASSET.
<i>c. Improvement(s) size</i>	Required by MGA s.293(3)	Substantial Compliance	There are 10 improved parcels missing improvement sizes. These have been sent to the assessor.
<i>d. Improvement(s) with standard MQS classification</i>	Required by MGA s.293(3)	Yes	All improved parcels have M/Q/S codes in the CAMA system and report to ASSET.
<i>e. Improvement(s) year built</i>	Required by MGA s.293(3)	Yes	All improved parcels have <i>year built</i> in the CAMA system and report to ASSET.
<i>f. PUC (Predominant Use Code)</i>	Required by MGA s.293(3)	Yes	All parcels have a PUC.
<i>g. Location Characteristics</i>	Required by MGA s.293(3)	Yes	These characteristics are kept in the CAMA system using table-driven factors.
<i>h. Inspection Date</i>	Required by MGA s.293(3)	Yes	Inspection dates are recorded in the CAMA system and report to ASSET.
<i>i. LINC #'s</i>	Required by MGA s.293(3)	Yes	All parcels have linc numbers in the CAMA system and report to ASSET.
<i>j. Improvement(s) Condition code</i>	Required by MGA s.293(3)	Yes	All improved properties have condition codes in the CAMA system and report to ASSET.
<i>k. Details of Accessory Improvements if applicable</i>	Required by MGA s.293(3)	Yes	Separate cost approach calculations and details retained in CAMA system.
<i>l. Land Use (zoning) Bylaw code</i>	Required by MGA s.293(3)	Yes	All parcels have land use codes assigned and report to ASSET.

Findings:

There are 10 improved parcels missing improvement size needing data input for the coming cycle.

Property Characteristics at Date of Sale

Findings:

Property characteristics at sale date may be different than characteristics as of *December 31* in a subsequent assessment year. According to IAAO texts and the *Property Assessment in Alberta Handbook*, assessors should preserve a “snapshot” of property details at the time of sale, so prices and property characteristics can be properly matched and ratio studies are not distorted.

The assessor's computer assisted mass appraisal (CAMA) system tracks any changes made to the property since the property has sold.

Valuation of Regulated Property

Pursuant to Sections 2 and 12 in the *Matters Relating to Assessment and Taxation, 2018 (MRAT) Regulation (AR203/2017)*, the assessor appointed by the municipality must follow procedures set out in the Minister's Guidelines.

Task Reviewed	Reference	Compliance	Comments
<i>Applicable Minister's Guidelines are applied properly and consistently</i>			
<i>Machinery and Equipment (M&E)</i>	Required by MGA s.293 and AR 203/2017	Substantial Compliance	There are three properties with M&E assessments prepared by the municipality. As previously mentioned, cost factors and components need to be updated.

Farmland Assessment

During the 1980s, *farmland* was classified and assessed by assessment personnel (provincial and local), with oversight provided by the Ministry of Municipal Affairs – Assessment Services Branch, Inspections Division. The inventory of information was thoroughly developed by 1990. Often, the bulk of information remains unchanged (soils, climate, topography, etc.).

There is an onus on the assessor to verify *farm operations*, track changes and adjust assessments by changing acreages at market value, and/or adjusting *farm building* exemptions (whole, or in part).

Farm-specific legislation includes the *MGA, Matters Relating to Assessment and Taxation Regulation (Regulations)*, *Alberta Farm Land Assessment Minister's Guidelines (Minister's Guidelines)*, and the *1984 Alberta Assessment Manual*. Under Alberta's legislative regime, *farm land* is not assessed at market value, but at *agricultural use value*; using regulated rates, to the extent prescribed in the regulations. In order to qualify for *agricultural use value*, land must be used for *farming operations*; which "...means the raising, production and sale of agricultural products..." and includes crops, livestock, horticulture, apiculture, etc.

Task Reviewed	Reference	Compliance	Comments
Applicable Minister's Guidelines are applied properly and consistently			
<i>Farmland</i>	Required by MGA s.293 and AR 203/2017	Yes	The assessor's procedures are in accordance with applicable <i>Minister's Guidelines</i> .
<i>Farmland net productivity factors</i>	Required by AR 203/2017	Yes	Final Rating Class & Net Productivity Rating factors are retained in the CAMA system.
<i>Farmland cost factors</i>	Required by AR 203/2017	Yes	Retained in the CAMA system.
<i>Parcels <1.0 ac assessed at market value</i>	Required by AR 203/2017	N/A	

Conclusions:

Based on review, there is an assessment for all properties according to legislation. From a review of sample properties and data reported to ASSET; the assessor collects and reports most of the required information in the CAMA system.

Recommendations – Part C

The assessor must update missing improvement sizes in the CAMA system.

PART D - ADMINISTRATIVE REVIEW

Administrative review focuses on the municipality's management of the assessment program, and legislative requirements for preparation and administration of the assessment program.

Authority:

Task Reviewed	Reference	Compliance	Comments
<i>Appointed assessor has appropriate qualifications</i>	Required by AR 233/2005	Yes	The assessor, Mr. Kevin Bohlken holds the designation of <i>Accredited Municipal Assessor of Alberta (AMAA)</i> , which meets requirements.
<i>Assessor as designated officer established by bylaw, and person appointed as assessor</i>	Required by MGA s.210(1) and s.284(1)(d)	Yes	The municipality passed Bylaw 238/2023, establishing the position of <i>Assessor</i> . Council appointed Kevin Bohlken to the position of assessor by resolution on October 25, 2022.
<i>Supplementary assessment bylaw</i>	Required by MGA s.313	Yes	The municipality passed Bylaw 242/2023 establishing supplementary assessments for manufactured homes moved into Bentley in the calendar year of 2023.
<i>Supplementary assessment prorated</i>	Required by MGA s.314	N/A	This will be for next year only since it is for the 2023 calendar year only.

Property Tax Exemptions for Residences and Farm Buildings:

A residence(s) that is part of a *farm unit* can qualify for an exemption to the extent of the assessment, based on *agriculture use value*, for the land in the *farm unit*. A maximum of \$61,540 for the first residence and up to \$30,770 for each additional residence in the *farm unit* used chiefly in connection with farming operations.

Farm buildings are defined as "...any improvement other than a residence, to the extent it is used for farming operations..." and are exempt from assessment, except to the extent prescribed in the regulations.

Task Reviewed	Reference	Compliance	Comments
<i>Application of exemptions pursuant to the MGA</i>	Required by MGA s.351 and s.361 to s.368	Yes	Exemptions are applied in accordance with the MGA.
<i>Rural residences and farm buildings</i>	Required by AR 203/2017	Yes	Exemptions are applied in accordance with the regulations.
a. <i>Community Organization Property Tax Regulation (COPTER)</i>	Required by AR 281/98	N/A	

Exemption Reason Code	Exemption Reason	Number of Properties	Assessed Person Code	Number of Properties
MGA 361(1)(b)	Residences and farm buildings to the extent prescribed in the regulations	1	Individual	1
MGA 361(1)(c)	Environmental reserves, conservation reserves, municipal reserves, school reserves, municipal and school reserves and other undeveloped property reserved for public utilities	12	Individual	9
			Municipal Property	3
MGA 362(1)(a)	Any interest held by the Crown in right of Alberta or Canada in property other than property that is held by a Provincial corporation as defined in the Financial Administration Act	6	Individual	5
			Crown in Right of Alberta	1
MGA 362(1)(b)	Property held by a municipality, except those mentioned in MGA 362(1)(b)(i-v)	43	Individual	14
			Municipal Property	29
MGA 362(1)(c)	Property, other than a student dormitory, used in connection with school purposes and held by those mentioned in MGA 362(1)(c)(i-ii)	2	Individual	2
MGA 362(1)(g.1)	Property used in connection with health region purposes and held by a health region under the Regional Health Authorities Act that receives financial assistance from the Crown under any Act	1	Individual	1
MGA 362(1)(k)	Property held by a religious body and used chiefly for divine service, public worship or religious education and any parcel of land that is held by the religious body and used only as a parking area in connection with those purposes	3	Individual	3

Exemption Reason Code	Exemption Reason	Number of Properties	Assessed Person Code	Number of Properties
MGA 362(1)(n)	Property that is described and that meets the qualifications and conditions in the regulations through MGA 362(1)(n)-(i-v)	1	Municipal Property	1
MO-H:016/96	GIPOt properties	1	Individual	1

Findings:

Typically, the assessed person code for exempt properties will not be individual. The assessor needs to ensure properties with exemption reason MGA 362(1)(a)-(k) with assessed person code *individual*, are reviewed and updated where necessary.

Task Reviewed	Reference	Compliance	Comments
<i>Assessment roll is prepared by February 28</i>	Required by MGA s.302	Yes	The assessment roll was submitted into ASSET on February 6, 2023 and declared on February 14, 2023.
<i>Assessment roll contains the required contents</i>	Required by MGA s.303	Yes	The assessment roll was reviewed and contains all required contents excepting a few data elements discussed previously.
<i>Assessment roll can be inspected during regular business hours</i>	Required by MGA s.307	Yes	Administration has the assessment roll available for the public to view upon request at the Municipal office. This has been done in accordance with Section 303 of the Municipal Government Act and in conjunction with the Freedom of Information and Protection of Privacy Act.
<i>Supplementary assessment roll prepared by end of year</i>	Required MGA s.315(1)	N/A	
<i>Supplementary Assessment roll contains the required contents</i>	Required by MGA s.315(3)	N/A	
<i>Bylaw designating manufactured home community as an assessed person</i>	Required by MGA s.304(1)(j)	N/A	
<i>Assessment notices meet legislated requirements</i>	Required by MGA s.309 and AR 203/2017	Substantial Compliance	The assessment notice is missing items of required information (see below).
<i>Assessment notices sent by legislated date</i>	Required by MGA s.310(1)	Yes	Notices were mailed March 15, 2023.
<i>Public notice that assessment notices sent</i>	Required by MGA s.311(1)	Yes	Notification was published in <i>Rimbey Review</i> March 21 & 28, 2023.

Task Reviewed	Reference	Compliance	Comments
<i>Supplementary assessment notices sent by legislated date</i>	Required by MGA s.316(1)	N/A	
<i>Supplementary assessment notices meet legislated requirements</i>	Required by MGA s.316.1(1)	N/A	
<i>Assessment record reflects decision of assessment review board</i>	Required by best practice	Yes	No complaints filed during past three years.
<i>Sufficient information provided to assessed persons</i>	Required by MGA s.299	Yes	Upon request, property owners informally receive sufficient information to determine how their assessment is calculated. In the event of a formal s.299/300 request, it is advisable for the municipality to have a formal plan in place to track requests, compliance dates, and a duplicate copy of information supplied to property owners.
<i>Summary of assessment of any assessed property in municipality</i>	Required by MGA s.300	Yes	Upon request, property owners informally receive sufficient information to determine how their assessment is calculated. In the event of a formal s.299/300 request, it is advisable for the municipality to have a formal plan in place to track requests, compliance dates, and a duplicate copy of information supplied to property owners.
<i>Information submitted to the department</i>	Required by MGA s.293(3) and s.319	Yes	Required information (excepting data elements discussed previously), was reported into the ASSET system, and the roll declared Feb 14, 2023.
<i>Assessment roll changes submitted to department</i>	Required by MGA s.305.1 and AR 203/2017 s.18	Yes	The revised assessment roll (RANN) load was submitted to ASSET and declared on September 27, 2023.

Conclusions - Part D

Based on review of the municipality's preparation and administration of the assessment program, most requirements are in compliance with the applicable legislation.

The assessment notice is missing: a statement indicating where the complaint form and agent authorization forms can be found as per MRAT s.37(a). Assessment notices also need to state owners are entitled to information about assessments under provisions in sections 299 & 300 of the MGA, particulars about timelines and procedures. The assessment notice was mailed on March 15, 2023 and therefore the *Notice of Assessment Date* should have been March 23, 2023 and the *Complaint Date* May 23, 2023 due to the deadline falling on a statutory holiday (May 22, 2023).

Observation:

The municipality should develop a formal *MGA* section 299/300 request form and process to ensure a formal assessment information request by a taxpayer is dealt with appropriately.

Recommendations:

The municipality must:

- 1) Review assessed person codes assigned to properties with exemption reason *MGA* 362(1)(a) - (k).
- 2) Update assessment notices with applicable statements to comply with legislation.
- 3) Ensure notice of assessment and complaint dates comply with legislation.

PART E - ADDENDUM

Item 1

Table of Commonly Used Acronyms and Abbreviations

AUG	Actual Use Group Code (SFD, RC, IND, etc.)
AYM	Assessment Year Modifier
CAMA	Computer Assisted Mass Appraisal - <i>CAMA/lot</i> (brand name)
PUC	Predominant Use Group code
M/Q/S	Model/Quality/Structure codes
ASR	Assessment/Sale Price ratio
SAR	Sale Price/Assessment ratio
COD	Coefficient of Dispersion
PRD	Price Related Differential (measure of low-value vs. high-value ASR's)
Non Res (NR)	Combined non-residential property types; retail, office, industrial, vacant industrial/commercial
IND	Improved Industrial
MLS	Multiple Listing Service
RFI	Request for Information (typically from property owner)
RC	Residential Condominium
SFD	Single Family Dwelling
SPEC	Special Purpose Property (manufacturing plants, oil & gas facilities...)
VCOM	Vacant Commercial
VIND	Vacant Industrial
VR	Vacant Residential



PUBLIC MEETING

Proposed Annexation of Land by the Town of Bentley from Lacombe County



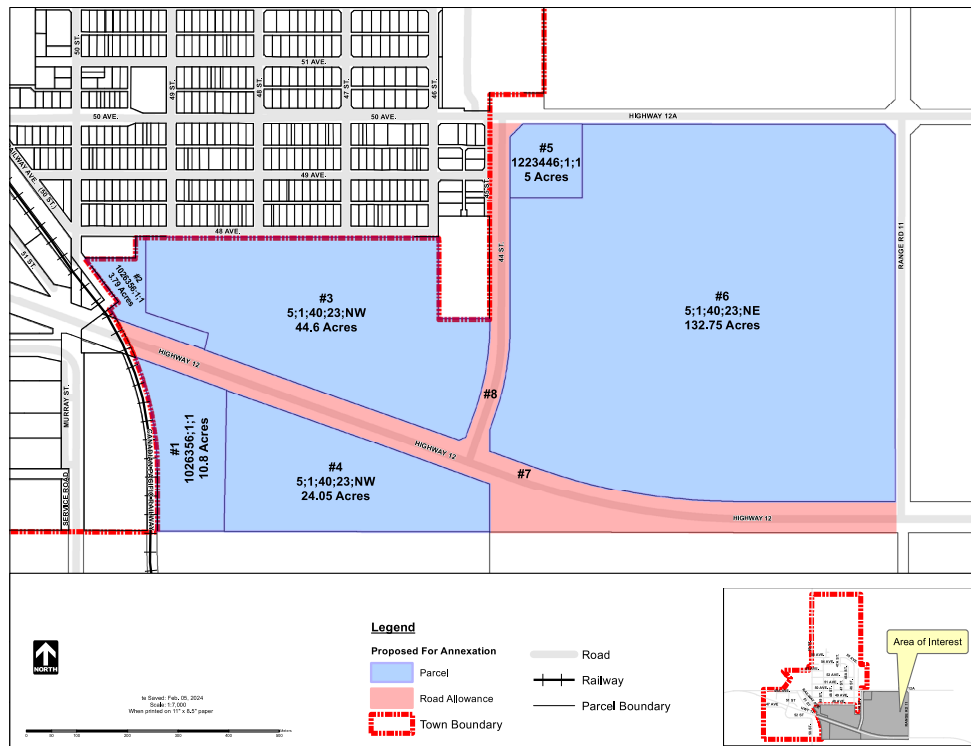
Thursday, April 18, 2024 @ 6-8 PM

Blindman Valley Agricultural Centre, 5202 53 Street Close, Bentley
(located behind the Bentley Arena off of 50th Street)

The proposed annexation area incorporates lands in the north half of Section 23, Township 40, Range 1, West of the 5th Meridian, located to the south and east of Bentley (shown as the shaded area on the map below). The proposed annexation area was the subject of the Southeast Bentley Area Structure Plan that was approved by Lacombe County Council in November 2023.

The purpose of the meeting is to present information about the annexation proposal and the process undertaken to date and to provide the public with an opportunity to comment on the proposed annexation. A brief presentation will be provided at the start of the meeting followed by a question / answer and discussion session.

For more information, please contact Albert Frootman, Project Lead, Parkland Community Planning Services at (403) 343-3394 or albert.frootman@pcps.ab.ca, or Marc Fortais, CAO, Town of Bentley at (403) 748-4044 or mfortais@townofbentley.ca.



Minister of Housing,
Infrastructure
and Communities



Ministre du Logement,
de l'Infrastructure
et des Collectivités

Ottawa, Canada K1P 0B6

Mayor Greg Rathjen
Town of Bentley
P.O. Box 119
Bentley, Alberta T0C 0J0

Dear Mayor Rathjen:

Thank you for your correspondence regarding the Town of Bentley's application to the Green and Inclusive Community Buildings (GICB) program.

The Government of Canada is making unprecedented investments in areas such as homelessness and affordable housing, public transit, resilient and low-carbon infrastructure, water and wastewater, and green and inclusive community buildings, all of which contribute to economic growth, social inclusion and a healthy environment.

The GICB program is a popular program that received significant interest from communities all across Canada. Officials reviewed hundreds of thoughtfully prepared applications for meaningful projects aimed at improving the quality of community spaces from coast to coast to coast. Due to the high level of interest and limited funding available, on February 13, 2024, Infrastructure Canada officials sent out the news to applicants where projects were not selected for funding, including the Bentley Arena Rehabilitation and Renovation project.

I would also like to acknowledge your email regarding the terrible fire that destroyed the Monkey Top Saloon. My sympathies are with you and your community in this difficult time. I would encourage you to continue consulting the [Infrastructure Canada](https://www.infrastructurecanada.ca) website for news and updates on future programs benefiting communities across the country.

Please accept my best regards.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Fraser".

The Honourable Sean Fraser, P.C., M.P.
Minister of Housing, Infrastructure and Communities

Canada The word "Canada" in a blue serif font, with a small red maple leaf icon to the right of the letter "a".



Greg Rathjen

Council Report March 2024

- March 11 County/ Bentley community LDP meeting as we set up for a public meeting for the proposed Annexation.
- March 11 preparation meeting for CAO evaluation.
- March 12 regular council meeting.
 - Presentation by PCPS on Bylaw changes for our Land use bylaw, will be brought to a public meeting before it comes to Council for first reading.
- March 13 LREMP meeting
 - Preparing for emergency response local and co
 - Responding Reps area from meeting and planning for tests , progressive plans for future tabletop plans and area programs
- March 26 Regular Council Meeting
 - Presentation By Susan Samson on the setting up of the Urgent Care Central Alberta Foundation
- March 28 CAO Marc Fortais and I, made a presentation of need and request regarding Bentley Arena Ice Plant to Lacombe County Council Meeting



Dale Grimsdale

REPORT FOR March 2024

- March 6 - LRWSC Board meeting - Highlights include the Auditor report, waste haul summary, Account Payables and year to date budget report, Manager report which included camera update for sites, staff training and Dried Lake Landfill contract renewal. EPR transition discussions. Bentley confirmed as registered.
- March 11- CAO evaluation meeting
- March 12 - Regular Council Meeting
- March 18- Parent School Board Advisory Council Meeting- Highlights include:
 - Administrative update
 - Grade 6 chili fundraiser
 - New timetables for 2024/25
 - Sports update
 - Cellphone policy classroom ban was voted and passed.
 - Trustee report.
 - I presented a council and town update.
 - New students with high needs update including EA hire. BGC update
- March 19- Attended Museum Board meeting.
- March 26- Regular Council Meeting



Lenore Eastman

REPORT March 2024

- March 12 Regular Council Meeting
- March 14 Ag Society Meeting
- putting new LED lights in main hall
- March 19 Regular Council Meeting
- March 25 Lacombe foundation meeting
- went over audit, passed



Pam Hansen

REPORT FOR March 2024

- March 12 Regular Council Meeting
- March 13 Bentley Library Meeting
- March 26 Regular Council Meeting



Brenda Valiquette

REPORT FOR March 2024

- March 11, 2024 Town of Bentley/Lacombe County IDP Committee Meeting
- March 12, 2024 Regular Council Meeting
- March 26, 2024 Regular Council Meeting