

TOWN OF CROSSFIELD
ELECTRONIC COMMUNICATIONS BYLAW
BYLAW NO. 2021-01

BEING A BYLAW OF THE TOWN OF CROSSFIELD TO ESTABLISH A PROCESS FOR SENDING ASSESSMENT NOTICES, TAX NOTICES, UTILITY NOTICES, AND OTHER NOTICES, DOCUMENTS AND INFORMATION BY ELECTRONIC MEANS.

WHEREAS, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, and amendments thereto (the "Act"), the Council of the Town of Crossfield may by bylaw establish a process for sending assessment notices, tax notices and other notices, documents and information under Part 3, 9, 10 or 11 or the regulations under Part 3, 9, 10 or 11 by electronic means;

AND WHEREAS, under the authority and subject to the provisions of the Act, council may by bylaw establish a process for sending forms of notice relating to school support under the Education Act, Statutes of Alberta, 2012, Chapter E-0.3, and amendments thereto by electronic means;

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

AND WHEREAS, such a bylaw passed requires council to give notice of the proposed bylaw in a manner council considers is likely to bring the proposed bylaw to the attention of substantially all persons that would be affected by it;

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

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

AND WHEREAS the council of the Town of Crossfield wishes to pass a bylaw to establish a process for sending assessment notices, tax notices, utility notices and other notices, documents and information under Parts 9, 10, and 11 of the Municipal Government Act and the corresponding regulations as well as notices relating to school support under the Education Act by electronic means;

NOW THEREFORE the Council of the Town of Crossfield duly assembled enacts as follows:

SECTION 1: TITLE

- 1.1 This Bylaw may be cited as the “**Electronic Communications Bylaw.**”

SECTION 2: DEFINITIONS

- 2.1 In this Bylaw:

- a. **"Assessment and Taxation Communications"** means assessment and tax and Assessment Review Board communications sent out by the Town and may include, but is not limited to:
- i. Assessment Notices;
 - ii. Tax Notices;
 - iii. School Support Notifications;
 - iv. Utility Notices;
 - v. Notifications relating to outstanding tax bills; and
 - vi. Other notices, forms and information relating to assessment and tax matters;
- b. **"Assessment Notice"** means an assessment notice as outlined in the Act and can include an amended assessment notice and a supplementary assessment notice, but does not include any assessment notice sent by the Provincial Assessor;
- c. **"Assessment Review Board"** means a local or composite assessment review board established by Council under the Act;
- d. **"Assessment Review Board Communications"** means Assessment Review Board communications sent out by the Town and may include, but is not limited to:
- i. Notices with respect to Assessment Review Board hearings and decisions; and
 - ii. Other notices, forms and information relating to Assessment Review Board matters; Assessment Review Board Communications shall specifically not include disclosures of evidence required to be provided by any party to an Assessment Review Board complaint;
- e. **"Assessment Review Board Notice"** means a notice of hearing to appear before the City's Assessment Review Board or a notice of decision resulting from that hearing;
- f. **"CASL Act"** means Ari Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act, S.C. 2010, Chapter 23 [often referred to as Canada's Anti-Spam Legislation or "CASL Act"];

- g. **"Electronic Format"** means an electronic method of sending or receiving Communications and can include emails, text messages or a web-based platform.
- h. **"FOIP Act"** means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, Chapter F-25;
- i. **"Provincial Assessor"** means the assessor designated by the Province under the Act;
- j. **"School Support Notifications"** means a notice sent under the Education Act, R.S.A. 2012, Chapter E-0.3;
- k. **"Tax Notice"** means a tax notice sent pursuant to the Act and can include an amended tax notice or a supplementary tax notice; and
- l. **"Taxpayer"** means a taxpayer as defined in the Act.
- m. **"Town"** means the municipal corporation of the Town of Crossfield
- n. **"Town Assessor"** means the municipal assessor duly appointed under the Act, or their delegate;
- o. **"Utility Notice"** means a notice as outlined in the Act and can include an amended to the notice and a supplementary notice;

SECTION 3: COMMUNICATING BY ELECTRONIC FORMAT

Opting In – Tax Assessment and Taxation Communications

- 3.1 A taxpayer may opt in to receive Assessment and Taxation Communications by Electronic Format by completing the E-bill tax assessment/notice agreement as outlined in schedule A, to indicate consent to receive assessment and taxation communications by electronic format.
- 3.2 When opting in to receive assessment and taxation communications, a taxpayer must ensure the email address they have provided in the agreement remains current and is updated promptly upon any change in such email address.
- 3.3 The Town Assessor may allow taxpayers to opt in to receive communications in an Electronic Format on some or all of the properties for which they are a taxpayer.

Opting In – Utility Services Communications

- 3.4 A utility payer may opt in to receive utility notices and communications by electronic format by completing the E-bill Utility services agreement as outlined in schedule b, to indicate consent to receive Utility notices and communications by electronic format.
- 3.5 When opting in to receive utility notices and services communications, a utility payer must ensure the email address they have provided in the agreement remains current and is updated promptly upon any change in such email address.

Opting Out

- 3.6 Should a taxpayer or utility payer no longer wish to receive communications by electronic format, they are required to provide written notice outlining their wishes to withdraw their consent to receive assessment and taxation communications and utility notices and communications by electronic format.
- 3.7 A taxpayer or utility payer shall be deemed to have opted out if the town becomes aware that assessment and taxation communications, assessment review board communications and/or utility notices and communications delivered by an electronic format are being returned as undeliverable or are otherwise being rejected.
- 3.8 A taxpayer or utility payer shall be deemed to have opted out if the town becomes aware that a property has transferred ownership.

SECTION 4: PROTECTION OF TAXPAYER/UTILITY INFORMATION

- 4.1 Any information collected from taxpayers through assessment and taxation communications, or assessment review board communications using an electronic format shall only be used for purposes associated with the taxation, assessment and Assessment review board functions of the town in accordance with the requirements of the Act, and its associated regulations.
- 4.2 Any information collected from utility payers through utility notices or utility communications using an electronic format shall only be used for purposes associated with the utility servicing functions of the town in accordance with the requirements of the Act, and its associated regulations.
- 4.3 Any information collected from a taxpayer or utility payer shall be protected in accordance with the provisions of the FOIP Act.
- 4.4 The town shall ensure that the requirements of the CASL Act are met when a taxpayer opts in, opts out, or receives assessment and taxation communications or assessment review board communications in an electronic format.

- 4.4 Communication through an electronic format with a taxpayer or utility payer shall only take place through an email address as provided by the taxpayer or utility payer under section 3.2, 3.3, or 3.4.
- 4.5 Once a taxpayer or utility payer has opted out or has been deemed to have opted out under section 3.6, 3.7 or 3.8, the town shall no longer send communications through an electronic format and shall send future communications about a property to the last known mailing address of the taxpayer or utility payer, as listed in town assessment or utility records.

SECTION 5: GENERAL PROVISIONS

- 5.1 Each provision of this bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 5.2 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 5.4 Where this Bylaw refers to another act, bylaw, regulation or agency, it includes reference to any act, bylaw, regulation or agency that may be substituted therefore.
- 5.5 This Bylaw shall come into full force and effect after third and final reading and upon execution.

Given first reading this 5 day of January, 2021

Given a second reading this 5 day of January, 2021

Read a third and passed unanimous consent of Council this day of February 2021

Mayor Tennant

Chief Administrative Officer
Kenneth Bosman

SCHEDULE "A"

E-Bill Tax Assessment/Notice Agreement

_____ Name	_____ Date
_____ E-Mail Address	_____ Phone Number
_____ Tax Roll Number(s)	
_____ Street Address(s)	
I, _____ have read and agreed to the present terms and conditions listed below.	
_____ Signature	_____ Date

Please read the following terms and conditions carefully, as they contain important information that should be known before subscribing to the E-Bill service.

- The tax assessment and/or taxation notice will be provided to the subscriber as a PDF attachment via the email address supplied.
- It is the taxpayer's responsibility to provide the correct email address and to inform the Town of Crossfield of any changes to their email address. If you have not received your tax assessment and/or taxation notice by the 30th of May, please contact the Town Office at 403-946-5565. **Non-receipt is not justification for late payment and penalties will apply.**
- Printed copies of your e-bill can be used to pay at the Town Office, financial institutions, online, telephone banking, or by mailing a cheque or money order.
- When you agree to the Terms and Conditions of this service, you will no longer receive a paper tax assessment and/or taxation notice from the Town of Crossfield.
- The customer is responsible to pay in full and on time. Failure to receive or loss of the tax assessment and/or taxation notice will not be accepted as reasons for either non-payment or for exemption of late penalties. The town will not be held liable for late or missed payments.

The information on this form is collected under the authority of section 33 (c) of the Freedom of Information and Protection of Privacy Act (FOIP) and is used solely for purposes relating to the Town of Crossfield.

SCHEDULE "B"

E-Bill Utility Service Agreement

Name

Date

E-Mail Address

Phone Number

Utility Account Number(s)

Street Address(s)

Please circle **Owner or Renter**

I, _____ have read and agreed to the present terms and conditions listed below.

Signature

Date

Please read the following terms and conditions carefully, as they contain important information that should be known before subscribing to the E-Bill service.

- The Utility invoice will be provided to the subscriber as a PDF attachment via the email address supplied.
- It is the subscribers' responsibility to provide the correct email address and to inform the Town of Crossfield of any changes to their email address. If you have not received your Town utility invoice by the 30th of every 2nd month (January, March, May, July, September and November), please contact the Town Office at 403-946-5565. **Non-receipt is not justification for late payment and penalties will apply.**
- Printed copies of your e-bill can be used to pay at the Town Office, financial institutions, online, telephone banking, or by mailing a cheque or money order.
- When you agree to the Terms and Conditions of this service, you will no longer receive a paper utility invoice from the Town of Crossfield.
- The customer is responsible to pay in full and on time whether the bill has been based on an estimate or actual reading. Failure to receive or loss of the utility statement will not be accepted as reasons for either non-payment or for exemption of late penalties. The town will not be held liable for late or missed payments.

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