

**2000**

**CHAPTER 55**

An Act to amend *The Local Improvements Act, 1993*

(Assented to June 27, 2000)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

**Short title**

**1** This Act may be cited as *The Local Improvements Amendment Act, 2000*.

**S.S. 1993, c.L-33.1 amended**

**2** *The Local Improvements Act, 1993* is amended in the manner set forth in this Act.

**Section 15 amended**

**3 The following subsection is added after subsection 15(3):**

“(3.1) A notice delivered by ordinary mail pursuant to clause (3)(c) is deemed to have been received on the fifth day following the day of its mailing”.

**Section 33 amended**

**4(1) Subsections 33(2) and (3) are repealed and the following substituted:**

“(2) Within 15 days after completing the special assessment roll, the assessor shall:

(a) publish in at least one issue of a newspaper circulating within the municipality a notice advising of:

(i) the completion of the special assessment roll;

(ii) the times when and the place where the roll may be inspected; and

(iii) the time and place of the sittings of the board of revision; and

(b) serve a notice of the proposed special assessment, in the form prescribed by the minister, on the owner of every parcel of land proposed to be specially assessed”.

**(2) Subsections 33(8) to (10) are repealed and the following substituted:**

“(8) The special assessment roll shall be kept open to inspection at the office of the assessor, from the day of completion of the special assessment roll to the last day for filing a notice of appeal to the board of revision, during:

(a) regular office hours; and

(b) any additional times that the council may determine.

“(9) A person who wishes to appeal against a proposed special assessment shall, within 30 days after the day on which the notice of special assessment is delivered to that person, deliver a notice of appeal to the assessor:

- (a) personally; or
- (b) by mailing it to the office of the assessor by ordinary mail.

“(10) A notice of appeal delivered by ordinary mail pursuant to clause (9)(b) is deemed to have been received on the fifth day following the day of its mailing.

“(11) A notice of appeal delivered in accordance with this section must:

- (a) be in the form prescribed by the minister;
- (b) state all grounds on which the appeal is based, including:
  - (i) a description of any error alleged in:
    - (A) determining or calculating the frontage or other unit of measurement of the lands used in calculating the special assessment;
    - (B) calculating the special assessment; or
    - (C) preparing the special assessment roll or the notice of the special assessment;
  - (ii) the grounds for every error alleged pursuant to subclause (i); and
  - (iii) in summary form, the material facts on which the appellant relies; and
- (c) include an address for service for the appellant at which documents relating to the appeal may be delivered.

“(12) Where an appellant fails to provide any information required in a notice of appeal pursuant to subsection (11), the board of revision, at any time before determining the appeal, may require the appellant to provide that information within a specified period, failing which the board of revision may dismiss the appeal.

“(13) The provisions of the following Acts relating to appeals to the board of revision against ordinary assessments apply, as the case requires and with any necessary modification, to appeals to the board of revision pursuant to this section, where the provisions from the following Acts are not inconsistent with this Act:

- (a) *The Urban Municipality Act, 1984*;
- (b) *The Northern Municipalities Act*;
- (c) *The Rural Municipality Act, 1989*.

**Section 35 amended****5 Subsection 35(4) is repealed and the following substituted:**

“(4) Within 14 days after making its decision, the board of revision shall cause a notice of its decision, including the reasons for its decision, to be delivered to:

- (a) the appellant; and
- (b) any other person affected by the decision of the board of revision.

“(5) The notice mentioned in subsection (4) shall be delivered in the same manner as provided by subsection 15(3), and subsection 15(3.1) applies, with any necessary modification”.

**Section 40 amended****6 Subsection 40(3) is repealed and the following substituted:**

“(3) The provisions of the following Acts relating to appeals from the board of revision against ordinary assessments apply, as the case requires and with any necessary modification, to appeals pursuant to this section, where the provisions from the following Acts are not inconsistent with this Act:

- (a) *The Urban Municipality Act, 1984;*
- (b) *The Northern Municipalities Act;*
- (c) *The Rural Municipality Act, 1989;*
- (d) *The Municipal Board Act”.*

**Coming into force**

- 7** This Act comes into force on assent.

