



CITY OF BROOKS BYLAW NO. 22/09

A BYLAW OF THE CITY OF BROOKS, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A PROCESS FOR SENDING ASSESSMENT AND TAXATION NOTICES, ASSESSMENT REVIEW BOARD NOTICES, AND OTHER NOTIFICATIONS, DOCUMENTS AND INFORMATION BY ELECTRONIC MEANS.

WHEREAS the *Municipal Government Act* RSA 2000, c.M-26 and regulations as amended, provides that Council may pass Bylaws in relation to services provided on behalf of the municipality;

AND WHEREAS pursuant to section 608.1(1) of the *Municipal Government Act* RSA 2000, c M-26 and amendments thereto, Council may by Bylaw establish a process for sending assessment and taxation notices and other notices, documents and information under Part 9, 10 or 11 of the Act or the regulations under Part 9, 10 or 11 by electronic means;

AND WHEREAS pursuant to section 608.1(2) of the *Municipal Government Act* RSA 2000, c M-26 and amendments thereto, Council may by Bylaw establish a process for sending forms of notice relating to school support under section 149(2) or (3) of the *Education Act* by electronic means;

AND WHEREAS before making such a Bylaw, Council must be satisfied that the proposed Bylaw includes appropriate measures to ensure the security and confidentiality of the documents and information being sent, and must 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 a Bylaw under section 608.1 must provide a method by which persons may opt to receive the notice, document or information by electronic means;

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;

NOW, THEREFORE the Council of the City of Brooks, in the Province of Alberta, hereby enacts as follows:

1. TITLE

100. This Bylaw may be cited as the “Electronic Transmission of Documents” Bylaw.

2. INTERPRETATION

200. In this Bylaw, unless the content otherwise requires:

201. **"Act"** means the *Municipal Government Act* RSA 2000 c-M-26 and regulations made under the *Municipal Government Act* as amended;

202. **"Bylaw"** means the City of Brooks Bylaw No. 22/09 as may be amended from time to time;

203. **"CASL Act"** means an Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the *Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information and Electronic Documents Act and the Telecommunication Act*, SC 2010, c 23 often referred to as Canada's Anti-Spam Legislation;

204. **"Chief Administrative Officer"** means the Chief Administrative Officer of the City of Brooks regardless of any subsequent title that may be conferred on that officer by Council or statute, or their designate;

205. **"City"** means the City of Brooks, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the City of Brooks, as the context may require;

206. **"Council"** means the Municipal Council of the City of Brooks;

207. **"Documents"** means any assessment notices, tax notices, and other notices, documents and information under Part 9, 10 or 11 of the Act, or the regulations under Part 9, 10 or 11, that the City may send to a Taxpayer;

208. **"Electronic Format"** means an electronic method of sending Documents and can include emails, text messages or a web-based platform including “My Brooks”;

209. **"FOIP Act"** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25;

210. **"My Brooks"** means a web-based platform that allows Taxpayers to opt in or out of, and to receive Documents by way of Electronic Format; and,

211. **"Taxpayer"** means a Taxpayer as defined in Sections 1 (l)(bb) and 331 of the Act.

3. COMMUNICATING BY ELECTRONIC FORMAT

Opting In:

300. A Taxpayer may opt to have Documents sent by Electronic Format by creating an online account and providing consent through the “My Brooks” web portal.
301. The Taxpayer is responsible to manage their “My Brooks” account profile information and to ensure the email address they have provided is current and secure.
302. Once a Taxpayer has opted to receive Documents by Electronic Format, paper copies of the Documents will not be sent to the mailing address of the Taxpayer.
303. The Taxpayer must opt in to receive Documents by Electronic Format for each property or roll number for which they are a Taxpayer.

Opting Out:

304. If a Taxpayer is receiving Documents in an Electronic Format and wishes to withdraw their consent, they may do so by de-selecting the “notify me by email” checkbox within their “My Brooks” account, indicating they are opting out.
305. A Taxpayer shall be deemed to have opted out if the City becomes aware that Documents are being returned as undeliverable, are otherwise being rejected, or the Taxpayer deletes their “My Brooks” account.
306. A Taxpayer shall be deemed to have opted out if the City becomes aware that a property has transferred ownership.

4. PROTECTION OF TAXPAYER INFORMATION

400. Any information collected from Taxpayers shall only be used for purposes associated with the taxation and assessment functions, in accordance with the requirements of the Act and its associated regulations.
401. Any information collected from a Taxpayer shall be protected in accordance with the provisions of the *FOIP Act*.
402. The City shall ensure that the requirements of the *CASL Act* are met when a Taxpayer opts in, opts out or receives Documents by Electronic Format.
403. Nothing in this Bylaw prohibits a municipality from allowing a Taxpayer to view and download copies of Documents on the “My Brooks” web portal.

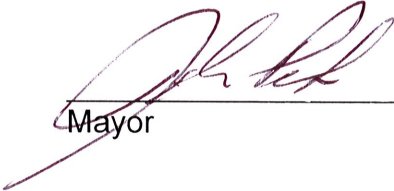
5. EFFECTIVE DATE

500. This Bylaw shall take effect at the date of final passing thereof.

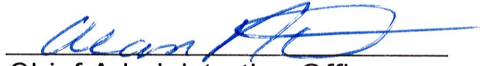
Read a first time this 18th day of April, 2022.

Read a second time this 18th day of April, 2022.

Read a third time and finally passed this 18th day of April, 2022.



Mayor



Chief Administrative Officer