

**BYLAW No. 712-23**  
**THE ELECTRONIC TRANSMISSION OF RECORDS BYLAW**

**BEING A BYLAW OF THE COUNTY OF PAINTEARTH NO. 18, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A PROCESS FOR SENDING CERTAIN DOCUMENTS ELECTRONICALLY**

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WHEREAS pursuant to section 608.1(1) of the *Municipal Government Act*, RSA 2000, c M-26, as amended, Council may by bylaw establish a process for sending 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 of the Act by electronic means;

AND WHEREAS pursuant to section 608.1(2) of the Act Council may by bylaw establish a process for sending forms of notice under section 149(2) or (3) of the *Education Act* by electronic means;

AND WHEREAS pursuant to section 608.1(3) of the Act, before making a bylaw under section 608.1, Council must be satisfied that the proposed bylaw includes appropriate measures to ensure the security and confidentiality of the notices, documents and information being sent;

AND WHEREAS pursuant to section 608.1(4) of the Act, before making a bylaw under section 608.1, Council 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 pursuant to section 608.1(5) of the Act, a bylaw under section 608.1(1) or (2) must provide for a method by which a person may opt to receive the notice, document or information by electronic means;

AND WHEREAS pursuant to section 608.1(6) of the Act the sending by electronic means of any notice, document or information under Part 9, 10 or 11 of the Act or the regulations under Part 9, 10 or 11 of the Act or under section 149(2) or (3) of the *Education Act* 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 County of Paintearth No. 18, in the Province of Alberta, duly assembled, enacts as follows:

**PART I – INTERPRETATION AND DEFINITIONS**

**Title**

- 1 This Bylaw may be cited as the "Electronic Transmission of Records Bylaw."

**Definitions**

- 2 In this Bylaw, words shall have the same meaning as in the *Municipal Government Act* except as otherwise defined below:

(a) "Act" means the *Municipal Government Act*, RSA 2000, c M-26, as amended;

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- (b) "Agreement" means an agreement between the Municipality and a person to receive Assessment and Taxation Documents by electronic means;
- (c) "Assessment Notice" means an assessment notice as that term is used 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;
- (d) "Assessment and Taxation Documents" means Assessment Notices, Tax Notices and notices under section 149(2) of the *Education Act*;
- (e) "Chief Administrative Officer" or "CAO" means the chief administrative officer of the County of Paintearth No. 18;
- (f) "Council" means the municipal council of the County of Paintearth No. 18;
- (g) "electronic means" means:
  - (i) electronic mail (email);
  - (ii) another electronic form of communication which can be addressed to:
    - (a) a person, or
    - (b) an electronic account to which a person has access and to which notices, documents and other information may be uploaded and downloaded.
- (h) "Municipality" means the municipal corporation of the County of Paintearth No. 18; and
- (i) "Tax Notice" means a tax notice as that term is used in the Act and can include an amended tax notice or a supplementary tax notice.

**PART II – AGREEMENT TO SENDING ASSESSMENT AND TAXATION DOCUMENTS  
ELECTRONICALLY**

**Authority**

- 3 The Municipality may send Assessment and Taxation Documents by electronic means in accordance with the requirements of this Bylaw.

**Process for Sending Assessment and Taxation Documents by Electronic Means**

- 4 Assessment and Taxation Documents may be sent by electronic means if the recipient of the Assessment and Taxation Documents has opted to receive such documents by electronic means by entering into an Agreement in a form established by the Chief Administrative Officer and providing all information required by the Chief Administrative Officer.

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- 5 When opting in to receipt of Assessment and Taxation Documents by electronic means, a person must provide a secure email address that the Municipality can use for purposes of communication.
- 6 Once a person has opted to receive Assessment and Taxation Documents by electronic means, paper copies of the Assessment and Taxation Documents will not be sent to the mailing address of the person.

**Presumption of Receipt**

- 7 In the absence of evidence to the contrary, an Assessment and Taxation Document sent by electronic means pursuant to this Bylaw is presumed to be received the same day as it was sent.

**PART III – PROTECTION OF ASSESSMENT AND TAXATION DOCUMENTS SENT ELECTRONICALLY**

- 8 Any information collected from a person in accordance with this Bylaw shall be protected in accordance with the provisions of the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25, as amended.

**PART IV – REVOCATION OF AGREEMENT TO SENDING ASSESSMENT AND TAXATION DOCUMENTS ELECTRONICALLY**

**Revocation of Consent**

- 9 A person who has opted to receive Assessment and Taxation Documents by electronic means pursuant to an Agreement under section 4, may opt out by sending a written message revoking their consent to the Municipality by electronic means.

**Deemed Revocation of Consent**

- 10 A person who has opted to receive Assessment and Taxation Documents by electronic means pursuant to an Agreement under section 4 shall be deemed to have opted out from receiving Assessment and Taxation Documents by electronic means if the Municipality becomes aware that Assessment and Taxation Documents sent by electronic means are being returned as undeliverable or otherwise being rejected.

**Process After Revocation or Deemed Revocation of Consent**

- 11 Once a person has opted out or has been deemed to have opted out of receipt of Assessment and Taxation Documents by electronic means, the Municipality will no longer send future Assessment and Taxation Documents by electronic means and will default to the requirements for sending such notices outlined in the Act.

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**Enactment**

12 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

Read a First Time in Council this 7<sup>TH</sup> day of February, 2023 on a motion of Councillor WIART.


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REEVE

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Chief Administrative Officer

Read a Second Time in Council this 14<sup>TH</sup> day of MARCH, 2023 on a motion of Councillor NORTON.

Read a Third Time in Council and Finally Passed this 14<sup>TH</sup> day of MARCH, 2023 on a motion of Councillor GLAZIER.

  
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REEVE

  
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Chief Administrative Officer