

BYLAW NO. 1783

SUBDIVISION AND DEVELOPMENT AUTHORITY

OF THE

TOWN OF FORT MACLEOD
IN THE PROVINCE OF ALBERTA

BEING a bylaw of the Town of Fort Macleod in the Province of Alberta, to establish a Subdivision and Development Authority & Municipal Planning Commission;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority and a municipal Development Authority;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended permits the municipality to establish a Municipal Planning Commission to act as the municipal Subdivision and Development Authority;

AND WHEREAS, the Municipal Planning Commission is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

AND WHEREAS, the Municipal Planning Commission is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, this bylaw may be cited as the Town of Fort Macleod Subdivision and Development Authority Bylaw;

NOW THEREFORE, the Council of the Town of Fort Macleod in the Province of Alberta duly assembled, enacts as follows:

1. DEFINITIONS:

- (a) **Authorized persons** means a person or organization authorized by the council to which the municipality may delegate any of its Municipal Planning Commission powers, duties or functions.
- (b) **Council** means the Municipal Council of the Town of Fort Macleod.
- (c) **Designated officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
- (d) **Members** means the members of the Municipal Planning Commission.
- (e) **Municipal Government Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
- (f) **Municipal Planning Commission** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:
 - (i) in the Act; or
 - (ii) in the Town of Fort Macleod Land Use Bylaw; or
 - (iii) in this bylaw; or
 - (iv) by resolution of council.
- (g) **Municipality** means the Town of Fort Macleod in the Province of Alberta.
- (h) **Secretary** means the person or persons appointed by council to act as secretary of the Municipal Planning Commission.
- (i) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

2. For the purpose of this bylaw, the Municipal Planning Commission for the municipality shall be the Subdivision and Development Authority, except in such instances whereby the designated officer may be the Development Authority in accordance with the land use bylaw or in such instances that Council is the Development Authority and has not specifically delegated such authority to the Municipal Planning Commission or the designated officer.

3. The Municipal Planning Commission shall be comprised of not more than seven (7) persons, three (3) of whom shall be elected members of Council, with two (2) of the three (3) elected officials being regular members of the Municipal Planning Commission and one (1) being an alternate, and four (4) of whom shall be appointed by Council from the citizens of the Town at large, with three (3) of the citizens of the Town at large being regular members of the Municipal Planning Commission and one (1) being an alternate.
4. The distinction of regular member and alternate member shall be at the discretion of Council and shall be recorded during the time of the appointment of each member.
5. When all five (5) regular members of the Municipal Planning Commission are in attendance at a meeting of the Municipal Planning Commission, the two (2) alternate members shall not deliberate nor vote on matters before the Municipal Planning Commission.
6. When required, one or both of the alternate members of the Municipal Planning Commission shall be called upon to sit in place of a regular member of the Municipal Planning Commission should a regular member or members not be able to attend for any reason.
7. Appointments to the Municipal Planning Commission shall be made by resolution of Council.
8. Members of the Municipal Planning Commission shall be appointed for a term of one (1) year.
9. Council may remove, and/or reappoint a member of the Municipal Planning Commission at their sole discretion.
10. When a person ceases to be a member of the Municipal Planning Commission before the expiration of his/her term, Council may, by resolution, appoint another person for the unexpired portion of that term.
11. Should an elected official not remain as a member of Council then he/she ceases to be a member of the Municipal Planning Commission.
12. At the first meeting of the Municipal Planning Commission following the appointment of members each year, the members of the Municipal Planning Commission shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year.
13. Each member of the Municipal Planning Commission shall be entitled to such remuneration as may be fixed from time to time by Council; and the remuneration shall be paid by the Town of Fort Macleod.
14. Council may, by resolution, appoint a person(s) to fill the role of secretary. The secretary shall be an employee of the municipality and shall attend all meetings of the Municipal Planning Commission, but shall not vote on any matter before the Municipal Planning Commission.
15. The Municipal Planning Commission shall hold regular meetings at least 12 times per year on a date to be determined by the Municipal Planning Commission unless there are no agenda items, and it may also hold a special meeting at any time at the call of the chairman or vice-chairman.
17. Quorum shall consist of three (3) members of the Municipal Planning Commission.
18. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Municipal Planning Commission.
19. The Municipal Planning Commission may make orders, decisions, development permits, and approvals, and may issue notices with or without conditions.
20. The Municipal Planning Commission may make rules to govern its hearings.
21. Members of the Municipal Planning Commission shall not be members of the Subdivision and Development Appeal Board.

22. The secretary of the Municipal Planning Commission shall attend all meetings of the Municipal Planning Commission and shall keep the following records with respect thereto:
- (a) the minutes of all meetings;
 - (b) all applications;
 - (c) records of all notices of meetings and or persons to whom they were sent;
 - (d) copies of all written representations to the Municipal Planning Commission;
 - (e) notes as to each representation;
 - (f) the names and addresses of those making representations at the meeting;
 - (g) the decision of the Municipal Planning Commission;
 - (h) the reasons for the decision of the Municipal Planning Commission, if an application is refused;
 - (i) the vote of the members of the Municipal Planning Commission on the decision;
 - (j) records of all notices of decision and of persons to whom they were sent;
 - (k) all notices, decisions and orders made on appeal from the decision of the Municipal Planning Commission;
 - (l) such other matters as the Municipal Planning Commission may direct.
23. This bylaw shall come into effect upon third and final reading thereof.
24. Bylaw 1349 and amendments thereto is hereby rescinded.
25. Bylaw 1556 and amendments thereto is hereby rescinded.


Read a first time this 25 day of November, 2013.

Read a second time this 25 day of November, 2013.

Read a third time and finally passed this 25 day of November, 2013.



Mayor



Chief Administrative Officer