



BYLAW NO 1784

MUNICIPAL PLANNING COMMISSION BYLAW

BEING THE BYLAW OF THE COUNCIL OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE MUNICIPAL PLANNING COMMISSION AS THE SUBDIVISION AND DEVELOPMENT AUTHORITY FOR THE MUNICIPALITY.

WHEREAS, Sections 623, 624 and 626 of the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26 provide that Council, must by bylaw, establish a subdivision and development authority approving body.

NOW THEREFORE, the council of Kneehill County, in Council, duly assembled, hereby enacts as follows: This bylaw may be cited as the Kneehill County Municipal Planning Commission Bylaw.

In this Bylaw:

- (a) "Act" refers to the Municipal Government Act, statutes of Alberta.
- (b) "Commission" refers to the Municipal Planning Commission of Kneehill County.
- (c) "Council" means the Council of Kneehill County.
- (d) "Members at Large" is a member of the public appointed by Council to a Committee of Council.
- (e) "Municipality" means Kneehill County, a municipal corporation in the Province of Alberta, and where the context requires, means the area contained within the corporate boundaries of the said municipality.

PART 1 ESTABLISHMENT OF THE MUNICIPAL PLANNING COMMISSION

1. That a commission known as the Municipal Planning Commission of Kneehill County hereinafter called "the Commission" is hereby established to act as a subdivision and development authority.
2. The Commission is hereby established and shall consist of the following:
 - (a) The Commission may be composed of all members of Council who shall be appointed by resolution of Council. Council may appoint up to two additional Members at Large at their discretion.
 - (b) The term of office of the members of the Commission shall be one year and may be renewed by further resolution of the Council.

- (c) No person who is a member of the Subdivision and Development Appeal Board shall be appointed to act as a member of the Commission.
- (d) Any vacancy caused by death, retirement or resignation of a member may be filled by resolution of Council.
- (e) The Commission shall not be disbanded, nor a member of it discharged without just cause.

PART 2 DUTIES OF THE COMMISSION

1. The Commission shall consider applications with regard to the planning of orderly and sustainable development within the municipality and shall seek to ensure that any proposed subdivision and development is in accordance with the purpose, scope or intent of the Municipal Development Plan, Land Use Bylaw and Provincial Acts and Regulations.
2. The Commission or the Development Officer is hereby authorized and assigned by Council to act as a development authority to receive, consider and decide on applications for development permits in the manner prescribed in the Land Use Bylaw.
3. The Commission is hereby authorized and assigned by Council to act as a Subdivision Approving Authority and to receive, consider and decide on subdivision applications received by the municipality and to make recommendations on those subdivision applications which may be referred to the municipality due to the close proximity of the land to the municipal boundaries.
4. The office of Secretary to the Commission is hereby constituted and shall be filled by appointment of an employee of the municipality, by Council, but that person shall not have a vote.

PART 3 SECRETARY OF THE COMMISSION

1. The Secretary of the Commission shall:
 - (a) Notify all members of the Commission of the arrangements for the holding of each meeting of the Commission.
 - (b) Ensure the required notice of the meeting is given to all affected parties, as specified in the Act.
 - (c) Prepare and maintain a file of the written minutes of the business transacted at all the meetings of the Commission.
 - (d) Issue to all affected parties and persons, notices of the decisions of the Commission.
 - (e) Carry out such other administrative duties as the Commission may specify.

PART 4 CONDUCT OF BUSINESS

1. Council, at its annual organizational meeting, shall appoint the Chairperson and a Vice Chairperson from its members.

2. Quorum shall be 50% plus 1 of the members of the Commission for the making of all decisions and for completing any action required or permitted to be done by the Chairman.
3. Only those members of the Commission present at a meeting of the Commission shall vote on any matter before it.
4. The decision of the majority of the members present at a meeting duly convened, shall be deemed to be the decision of the whole Commission.
5. The Commission shall hold such meetings as are necessary to fulfill the Commission's responsibilities.
6. The Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with this Bylaw, the Municipal Development Plan, the Land Use Bylaw and Provincial Acts and Regulations.
7. The remuneration, travelling and other expenses of the Chairperson and other members of the Commission shall be established by Council resolution and/or policies.
8. The setting of fees for any matter coming before the Commission shall be established by resolution of Council, as it considers necessary.
9. The Commission may make its orders, decisions, development permits and approvals and issue notices with or without conditions.
10. The Chief Administrative Officer, or his designate, are hereby authorized to sign decisions, instruments for endorsement, easements, caveats, development permits and other documents as may be required to conduct the business of the Commission.

PART 5 SEVERABILITY

1. If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.

PART 6 EFFECTIVE DATE

1. This bylaw comes into effect upon third reading of this bylaw.

PART 7 BYLAW REPEAL

1. Bylaw No. 1721 is hereby repealed.

READ a first time on this 12th day of February, 2019.

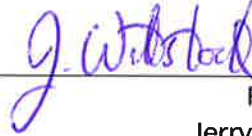
READ a second time on this 12th day of February, 2019.

UNANIMIOUS permission for third reading given in Council on the 12th day of February, 2019.

READ a third time and final time of this 12th day of February, 2019.

2019-02-22

Date Bylaw Signed



Reeve

Jerry Wittstock



Interim Chief Administrative Officer

Peter Tarnawsky