

BYLAW 1337/14
ESTABLISHMENT OF A MUNICIPAL PLANNING COMMISSION
STURGEON COUNTY, MORINVILLE, ALBERTA

BYLAW 1337/14 BEING A BYLAW OF STURGEON COUNTY, MORINVILLE, ALBERTA FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL PLANNING COMMISSION.

WHEREAS, Section 626 of the *Municipal Government Act*, R.S.A. 2000 c. M-26, and amendments thereto, authorize Council to establish a Municipal Planning Commission;

AND WHEREAS, the Council of Sturgeon County has deemed it desirable to create a committee to support development and subdivision decision making; and

NOW THEREFORE BE IT RESOLVED that the Council of Sturgeon County hereby enacts this Municipal Planning Commission Bylaw as follows:

1. TITLE

1.1. This Bylaw shall be known as the "Municipal Planning Commission Bylaw".

2. DEFINITIONS

In this Bylaw:

- 2.1. "Act" means the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time;
- 2.2. "Council" means Sturgeon County Council;
- 2.3. "County" means Sturgeon County;
- 2.4. "CAO" means the County Commissioner or his/her designate;
- 2.5. "Land Use Bylaw" means the County's Land Use Bylaw, as amended or repealed and replaced from time to time; and
- 2.6. "Commission" means the Municipal Planning Commission as defined by County bylaw, as amended or repealed and replaced from time to time.

3. MEMBERSHIP AND STRUCTURE

- 3.1. The Commission shall be comprised of five (5) members of Council appointed by resolution of Council during the annual Council Organizational Meeting.
- 3.2. Three (3) voting members of the Commission shall constitute a quorum for the making of all decisions.
- 3.3. In the event quorum is not reached during a meeting of the Commission, the CAO may sit as an ad hoc voting member of the Commission for that meeting.
- 3.4. The Commission Chairperson and Vice Chairperson shall be appointed by Council at their annual Organizational Meeting from amongst the members of the Commission.
- 3.5. The Development Officer shall serve as a non-voting advisor to the Commission and shall attend all meetings.

4. TERMS OF REFERENCE

- 4.1. Unless otherwise scheduled and advertised as such, meetings shall be held on the first and third Tuesday of each month.
- 4.2. The Commission shall ensure that any decision on an application for subdivision and/or development if approved is consistent with the Act, applicable provincial legislation, the Municipal Development Plan, any applicable Area Structure Plan and in compliance with the regulations and provisions of the Land Use Bylaw.
- 4.3. The Commission's authority for rendering decisions on development applications is in accordance with the Development Approval Authority Bylaw as amended or repealed and replaced from time to time.
- 4.4. The Commission's authority for rendering decisions on subdivision applications is in accordance with the Subdivision Approval Authority Bylaw as amended or repealed and replaced from time to time.
- 4.5. Only those members of the Commission present at a meeting of the Commission shall be permitted to vote on any matter before it.
- 4.6. 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. If there are an equal number of votes for or against the resolution, the resolution is defeated.
- 4.7. The Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with the Act, applicable provincial legislation, the Procedures Bylaw and the Municipal Development Plan as amended or repealed and replaced from time to time.
- 4.8. The Commission has no authority to make financial decisions on behalf of the County. Any matter before the Commission that contemplates financial considerations must be presented to Council for decision prior to a decision being made within the jurisdiction of the Commission.
- 4.9. The Commission may make orders, decisions and issue notices with or without conditions.
- 4.10. The Chairperson, Vice Chairperson or CAO are hereby authorized to sign decisions letters on behalf of the Commission. All other instruments for endorsement, easements, caveats, development permits and other documents which may be required to conduct the business of the Commission may be signed by the CAO.

5. SERVABILITY

- 5.1. If any portion of this Bylaw is deemed invalid by court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

6. REPEAL

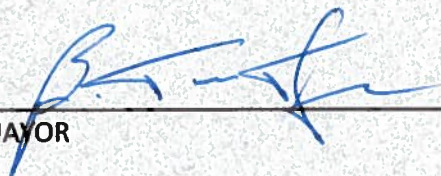
6.1. Schedule I of Bylaw 960/02 and any amendments thereto (Bylaw 1200/09)

6.2. That this Bylaw shall come into force and takes effect upon the date of third reading and signing in accordance with Section 213 of the *Municipal Government Act*, R.S.A. 2000 c.M-26, and amendments thereto.

Read a first time the 9th day of December, 2014.

Read a second time the 10th day of February, 2015.

Read a third time the 10th day of February, 2015.



MAYOR

COUNTY COMMISSIONER (CAO)

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.