

BYLAW NO. 1176/11

**A BYLAW OF THE TOWN OF HARDISTY
IN THE PROVINCE OF ALBERTA
TO ESTABLISH THE MUNICIPAL PLANNING COMMISSION
OF THE TOWN OF HARDISTY**

WHEREAS Section 624 of the Municipal Government Act, R.S.A. 2000, as amended ("the Act") indicates that a Municipal Council may establish a Municipal Planning Commission by bylaw;

NOW THEREFORE the Council of the Town of Hardisty, duly assembled, enacts as follows:

1. Name

1.1. This Bylaw may be cited as the "the Municipal Planning Commission Bylaw".

2. Definitions

The following words and phrases mean:

- 2.1. "Act" means the Municipal Government Act, R.S.A. 2000, as amended.
- 2.2. "Council" means the Mayor and Councilors of the Town of Hardisty for the time being elected pursuant to the provisions of the Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Act.
- 2.3. "Development Application" means an application made in accordance with the Land Use Bylaw for the purpose of obtaining a development permit.
- 2.4. "Development Authority" means the persons established under section 3 of the Development Authority Bylaw to perform the functions of a Development Authority under the Act.
- 2.5. "Development Authority Officer" means the persons established under section 4 of the Development Authority Bylaw to perform the functions of a Development Authority under the Act.
- 2.6. "Development Permit" means a document authorizing a development issued in accordance with the Land Use Bylaw of the Town of Hardisty.
- 2.7. "Land Use Bylaw" means the Bylaw adopted as a land use bylaw pursuant to the Act or the former Act.



- 2.8. "Subdivision Authority" means the persons established under Section 3 of the Subdivision Authority Bylaw to perform the functions of a Subdivision Authority under the Act.
- 2.9. "Municipal Planning Commission Secretary" means the person appointed to the position established under Section 7 of this Bylaw.

3. Establishment and Membership

- 3.1. The Municipal Planning Commission of the Town of Hardisty is hereby established.
- 3.2. The Municipal Planning Commission shall consist of (3) members appointed by resolution of Council. Specifically:
- 3.2.1. two (2) members shall be appointed from Council;
- 3.2.2. one(1) member shall be appointed from the public at large.
- 3.3. No person who is an employee of the Town or who is a member of the Subdivision and Development Appeal Board of the Town of Hardisty shall be appointed to the Municipal Planning Commission.
- 3.4. Any vacancies caused by the death, retirement or resignation of a member may be filled by resolution of the Council.
- 3.5. Council may remove a member of the Municipal Planning Commission by resolution at any time.
- 3.6. Under extraordinary circumstances, such as when a large number of members of the Municipal Planning Commission may have a potential conflict of interest, the Council may appoint additional members to the Municipal Planning Commission for a specific, short period of time, as the Council sees fit, in order to attempt to ensure that the Municipal Planning commission will have a quorum for a meeting and a hearing.

4. Terms of Office

- 4.1. Subject to Section 3.5 and 4.3 of this bylaw, each member of the Municipal Planning Commission appointed from the Council shall be appointed for a term of one (1) year and may be reappointed upon the expiry of the term at the pleasure of the Council.
- 4.2. Members of the Municipal Planning Commission appointed from the Council shall be appointed at each organizational meeting of the Council each year.



- 4.3. Where a member of Council is appointed as a member of the Municipal Planning Commission, his/her appointment shall terminate upon his/her ceasing to be a member of the Council.

5. Chair

- 5.1. At the first meeting of the Municipal Planning Commission following the appointment of members each year, a Chair shall be elected by vote of the majority of the members.
- 5.2. A member may be re-elected to the position of Chair.
- 5.3. The Chair shall preside at the meetings of the Municipal Planning Commission.

6. Vice-Chair

- 6.1. A Vice-Chair shall be elected at the same time under the same rules as the Chair.
- 6.2. A member may be re-elected to the position of Vice-Chair
- 6.3. The Vice-Chair shall reside at the meetings of the Municipal Planning Commission in the place of the Chair if the Chair, for any reason, does not preside at the meeting.
- 6.4. In the absence of the Chair and the Vice-Chair, one of the other members of the Municipal Planning Commission shall be elected to preside.

7. Secretary of the Municipal Planning Commission

- 7.1. The position of designated officer for the limited purpose of carrying out the function of the Secretary to the Municipal Planning Commission is hereby established. ("Municipal Planning Commission Secretary")
- 7.2. The Municipal Planning Commission Secretary shall be appointed by resolution of the Council and shall not be a member of the Municipal Planning Commission.
- 7.3. The Municipal Planning Commission Secretary shall have the following responsibilities and functions:
 - 7.3.1. Makes and keeps a record of the Municipal Planning Commission proceedings which may be in the form of a summary of the evidence presented at a hearing;
 - 7.3.2. Compiles and provides Agenda and meeting packages to members and makes available to the public; and
 - 7.3.3. Signs orders, decision, approval, notices, and other items given by the Municipal Planning Commission on its behalf.



8. Quorum and Meetings

- 8.1. A quorum of the Municipal Planning Commission shall be two (2) members of the Municipal Planning Commission
- 8.2. The Municipal Planning Commission shall meet at such intervals as are necessary to consider and decide on matters before it.
- 8.3. The Municipal Planning Commission shall have prepared and maintain a file of written Minutes of the business transacted at all meetings and hearings of the Municipal Planning Commission, copies of which shall be regularly filed with the Council. These Minutes may be in the form of a summary of the activities undertaken, together with the motions made, at the meetings and hearings.
- 8.4. A member of the Municipal Planning Commission who is for any reason unable to attend the whole or part of the deliberations on a particular application, shall not participate in the continued deliberations or in the decision of the Municipal Planning Commission on that application.
- 8.5. The Municipal Planning Commission may make rules that are necessary for the conduct of its meetings and its business that are consistent with this Bylaw, the Town of Hardisty and the Act.
- 8.6. The Municipal Planning Commission meeting shall normally be held in public except as stated under Section 197 (2.1) of the Municipal Government Act of Alberta.

9. Fees and Expenses

- 9.1. The remuneration, traveling, living and other expenses of the members of the Municipal Planning Commission and Municipal Planning Commission Secretary, shall be established by Council from time to time.
- 9.2. The fees associated with the launching of applications, and the meetings of the Municipal Planning Commission may be set by the Council by the Master Rate Bylaw.

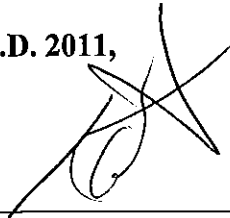
10. Responsibilities

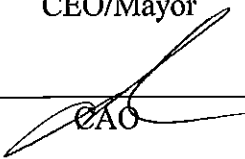
- 10.1. The Municipal Planning Commission shall:
 - 10.1.1. Advise and assist the Council with regards to the planning of orderly and economical development within the Town; and
 - 10.1.2. Act as Development Authority for the Town of Hardisty where provided for in the Town of Hardisty Development Authority Bylaw and Land Use Bylaw.



11. This Bylaw shall come into force on the day of final reading thereof, and further Bylaw No. 941 shall cease to be effective on this date.

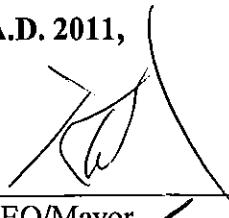
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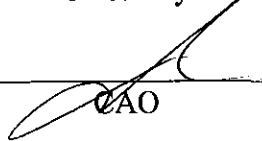


CEO/Mayor


CAO

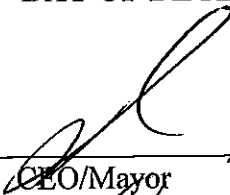
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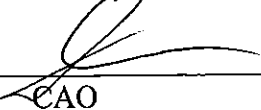


CEO/Mayor


CAO

READ A THIRD TIME AND FINALLY PASSED THIS 14th DAY OF DECEMBER, A.D. 2011,



CEO/Mayor


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