

Town of Millet
Bylaw 2017/03

A BYLAW OF THE TOWN OF MILLET IN THE PROVINCE OF ALBERTA TO ESTABLISH THE MILLET MUNICIPAL PLANNING COMMISSION.

PURSUANT to Section 626 of the *Municipal Government Act*, R.S.A., 2000, c. M-26, and amendments thereto, provides for a municipality to establish a Municipal Planning Commission and provide for the powers and duties of a said Commission;

AND WHEREAS, the Town of Millet desires to establish a Commission to responsibly exercise the powers and duties pertaining to Subdivision and Development matters;

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

- 1.0 This Bylaw shall be cited as the “Millet Municipal Planning Commission Bylaw”.
- 2.0 In this Bylaw:
 - 2.1 **“Chief Administrative Officer (CAO)”** means the chief Administrative Officer of the Municipality appointed by Council;
 - 2.2 **“Council”** means the duly elected officers of the Municipality;
 - 2.3 **“Municipality”** means the Town of Millet;
 - 2.4 **“Municipal Government Act (MGA)”** means the *Municipal Government Act*, R.S.A 2000 Chapter M-26 as amended or legislation substituted therefore;
 - 2.5 **“Municipal Planning Commission (MPC)”** means members of Council and Public at Large appointed by resolution of Council to the Municipal Planning Commission of the Municipality;
 - 2.6 **“Organizational Meeting of Council”** means the annual organizational meeting of the Council held in October;
 - 2.7 **“Recording Secretary”** means a person appointed to the position of recording secretary pursuant to this Bylaw;
 - 2.8 **“Simple Majority”** means more than 50% of the votes or persons;
 - 2.9 **“Staff Advisor”** means a person appointed to the position of staff advisor of the MPC pursuant to this bylaw; and
 - 2.10 **“Vacancy”** means the absence of a member that is unable to continue to fulfill his or her obligation as a member.

ALL OTHER TERMS used in this bylaw shall have the meaning assigned to them by the *MGA*, to the extent that said meaning differs from the ordinary mean.

ESTABLISHMENT, MEMBERSHIP AND TERM OF OFFICE

- 3.0 The MPC is hereby established and shall consist of 5 members being 3 members of Council and 2 members from the Public at Large.
- 4.0 Council members on the MPC as required by Section 3.0 shall be appointed at the annual Organizational Meeting of Council for a one-year term. Any member of Council’s appointment to the MPC terminates upon ceasing to be a member of Council.
- 5.0 Council shall appoint the MPC members from the Public at Large as required by Section 4.0 by Resolution of Council, in accordance with the following:
 - 5.1 Members of the MPC from the Public at Large shall be appointed for a two-year term.
 - 5.2 Any vacancy occurring may be filled for the remainder of the term by Council resolution.

- 6.0 No member of the MPC may be an employee of the Municipality, a person who carries out subdivision or development powers, duties and functions on behalf of the Municipality, or is a member of the Municipality's Subdivision and Development Appeal Board.

QUORUM, CHAIRPERSON, VICE-CHAIRPERSON AND RULES OF PROCEDURE

- 8.0 A Simple majority of the members of the MPC shall constitute a quorum.
- 9.0 At the Organizational Meeting of Council, Council shall appoint a Commission Chairperson for a term of one (1) year.
- 10.0 At the Organizational Meeting of Council, Council shall appoint a Vice - Chairperson for a term of one (1) year.
- 11.0 The duties of the Chairperson shall consist of:
- 11.1 presiding at the meetings of the MPC;
 - 11.2 direction and control of the operation of the MPC;
 - 11.3 direct consultation with the CAO, or designate;
 - 11.4 reviewing all information and material for inclusion in an agenda for all meetings of the MPC; and
 - 11.5 acting as the spokesperson for the activities of the MPC.
- 12.0 The duties of the Vice Chairperson shall consist of fulfilling the duties of the Chairperson in his or her absence.
- 13.0 For those matters not covered in this bylaw or Part 17 of the *MGA*, the MPC may establish rules of procedure as necessary for the conduct of its meetings and other business that is consistent with the bylaw and the *MGA*. For those matters not otherwise covered, the MPC may refer to the procedural bylaw of the Municipality.

ROLE OF STAFF

- 14.0 The CAO or their designate may appoint a staff advisor and / or recording secretary to the MPC and may, where appropriate attend meetings of the MPC in a non-voting, ex-officio capacity.
- 15.0 The role of the staff advisor appointed hereunder would be that of an advisor to the MPC in respect of those matters within the jurisdiction of the MPC.
- 16.0 The duties of the recording secretary, or the staff advisor where a recording secretary is not appointed, shall consist of:
- 16.1 attendance at all meetings of the MPC;
 - 16.2 to record and distribute minutes of meetings in accordance with the provisions of this Bylaw or as directed by the MPC;
 - 16.3 to prepare and provide an agenda to members of the MPC at least 2 clear working days prior to the meeting for which the agenda is prepared;
 - 16.4 to perform all other duties as may be assigned by the MPC from time to time.

MEETINGS, MINUTES, DECISIONS

- 17.0 Meetings for the MPC are held on an 'as needed basis', with at least 7 days notice to ensure quorum.
- 18.0 A minute book shall be kept and the minutes of all meetings shall be recorded therein by the recording secretary. Copies of all minutes shall be filed with the Office of the CAO and circulated to all members prior to the next meeting.

- 19.0 The decision of the simple majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole MPC.
- 20.0 Only those MPC members present at a meeting shall vote on any matter before the MPC.

DUTIES OF THE MPC

- 21.0 The MPC is hereby authorized to act as a Development Authority pursuant to Section 624 of the *MGA*, and to receive, consider, and decide upon applications for development permits in the manner prescribed in the *MGA*, Millet Land Use Bylaw, and other statutory provision or any Bylaw or Regulation, as amended from time to time.
- 22.0 The MPC is hereby authorized to act as a Subdivision Authority pursuant to Section 623 of the *MGA*, and to receive, consider, and decide upon applications for development permits in the manner prescribed in the *MGA*, Millet Land Use Bylaw, and other statutory provision or any Bylaw or Regulation, as amended from time to time.
- 23.0 The MPC shall assume the role as an advisory committee with respect to planning initiatives and projects as may be assigned by the CAO or their designate.
- 24.0 In addition to any duties and responsibilities the MPC set out in the Bylaw or as prescribed by the *MGA*, the duties and responsibilities of the MPC shall be determined by resolution of Council.
- 25.0 The MPC may advise Council with respect to the making of policies as it deems necessary from time to time, provided such policies are not inconsistent with the powers herein conferred.

OTHER

- 26.0 Administration shall review this Bylaw annually and take any recommendations to Council for review.
- 27.0 If any Section or Sections of this Bylaw or parts thereof are found in any court of law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.
- 28.0 This Bylaw shall come into full force and effect upon the final passing thereof.

29.0 This bylaw shall take effect on the date of the third and final reading.

Read a first time this 11th day of January , 2017.

Read a second time this 11th day of January , 2017.

Read a third time, and by unanimous consent, finally passed, this 11th day of January, 2017.

MAYOR

CHIEF ADMINISTRATIVE OFFICER