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BY-LAW NO.138  
THE SUMMER VILLAGE OF ARGENTIA BEACH

A BY-LAW OF THE SUMMER VILLAGE OF ARGENTIA BEACH TO PROVIDE FOR THE  
ADMINISTRATION OF SUBDIVISION AND DEVELOPMENT APPROVALS AND APPEALS

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PURSUANT to the provisions of the Municipal Government Act, Chapter M-26.1, R.S.A., 1994 and amendments thereto, (hereinafter referred to as "the Act"), the Council of the Summer Village of Argentia Beach, (hereinafter referred to as "the Summer Village") duly assembled, enacts as follows:

1. Establishment of a Subdivision Authority

- (a) Pursuant to Section 623 of the Act, the authority to exercise subdivision powers and duties is vested in the West Central Planning Agency (hereinafter referred to as "the Agency").
- (b) The Agency is authorized to collect fees for subdivision applications in the amounts set by resolution of Council from time to time and in accordance with the Agreement attached as Schedule "A" to this By-Law.
- (c) The Agency is authorized to endorse plans of subdivision, separation documents and transfers of land, and to sign, register and discharge deferred reserve caveats on behalf of the Summer Village, and the Registrar of Land Titles is authorized to accept the Agency's endorsement as if it were that of the Summer Village.
- (d) By-Law No. 131 of the Summer Village is hereby repealed effective September 1st, 1995.

2. Establishment of a Development Authority - Repealed - Bylaw # 154

Pursuant to Section 624 of the Act, the authority to exercise development powers and duties under the Land-Use By-Law is vested in the Development Officer appointed under the Land-Use By-Law or, where no such officer has been appointed, the Chief Administrative Officer.

3. Establishment of a Subdivision and Development Appeal Board

Pursuant to Section 627 of the Act, the Subdivision and Development Appeal Board, (hereinafter referred to as "the Board"), is established.

4. Purpose of the Board

The purpose of the Board is:

- (a) to hear and decide upon appeals against decisions of the subdivision authority, and

THE SUMMER VILLAGE OF ARGENTIA BEACH

(b) to hear and decide upon appeals from the decision of the Development Officer in respect to Development Permits and Stop Orders, and in this respect to perform the duties assigned to the Development Appeal Board under the Land-Use By-Law.

5. Composition of the Board

(1) The Board shall consist of:

(a) one member of Council, and

(b) two or more members of the public,

and shall be appointed by resolution of Council.

} Amended by Bylaw #154

(2) A member of the public appointed to the Board need not be a resident or ratepayer of the Summer Village.

(3) A vacancy on the Board shall be filled by resolution of Council at any time.

(4) An employee of the Summer Village shall not be appointed to the Board.

5. Selection of Committees

A subdivision or development appeal may be heard by a committee of the Board provided that the number of Councillors on the committee is less than the number of other members.

6. Filing and Processing of Appeals

The procedure for filing and processing appeals is set out in Sections 678 to 687 of the Act.

7. Establishment of Fee Schedules

Council may, by resolution, establish fees for subdivision and development appeals, which shall be sufficient to cover the costs of advertising, administration and other expenses.

8. Remuneration of Board Members and Secretary

Council may, by resolution, establish the remuneration to be paid to the Board members hearing an appeal and to the secretary of the Board.

9. Conflict with other By-Laws

In the event this By-Law conflicts with the Land-Use By-Law or any other By-Law of the Summer Village, this By-Law shall take precedence.

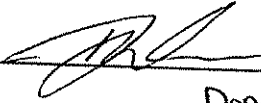
10. Effective Date

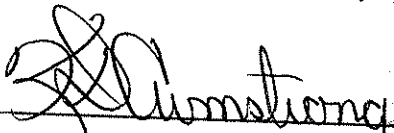
This By-Law shall come into force on September 1st, 1995.

READ a first time this 28th day of August, 1995.

READ a second time this 28th day of August, 1995.

READ a third time and finally passed this 28th day of August, 1995

  
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Deputy Mayor

  
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K.D. Armstrong-Municipal Administrator