

Bylaw No. 139/95

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 TO ESTABLISH A SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

WHEREAS The Municipal Government Amendment Act, Chapter 24, Revised Statutes of Alberta, requires a Municipality having a population of one thousand (1,000) or more to establish a Subdivision and Development Appeal Board by bylaw; and

WHEREAS the Municipal District of Foothills No. 31 has a population of over one thousand (1,000).

NOW THEREFORE the Council of the Municipal District of Foothills No. 31 enacts as follows:

1. This bylaw may be cited as the Municipal District of Foothills Subdivision and Development Appeal Board Bylaw.
2. In this Bylaw:
 - (a) "Act" means the Municipal Government Amendment Act, Chapter 24, Revised Statutes of Alberta, and amendments thereto;
 - (b) "Board" means the Subdivision and Development Appeal Board of the Municipality, as appointed by Council, acting as the Subdivision and Development Appeal Board at duly assembled meetings thereof;
 - (c) "Chairman" means the Board chairman present at any hearing, meeting or other sittings of the Board or, in that persons absence, either the vice-chairman or a member who is designated to act as chairman;
 - (d) "Council" means the Council of the Municipal District of Foothills No. 31;
 - (e) "Development Authority" means a person as designated under Section 624 of the Municipal Government Amendment Act, 1995, Chapter 24, Revised Statutes of Alberta, and amendments thereto and who is authorized by Council on those matters delegated to that person by Land Use Bylaw No. 566;
 - (f) "Municipality" means the corporation of the Municipal District of Foothills No. 31 or the area contained within the boundaries of the Municipal District of Foothills No. 31, as the context requires.

ESTABLISHMENT OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

3. The Subdivision and Development Appeal Board for the Municipal District of Foothills No. 31 is hereby established.
 - (1) The Subdivision and Development Appeal Board shall be divided into two committees known as the Subdivision Appeal Committee and the Development Appeal Committee
 - (2) The Subdivision Appeal Committee shall be composed of at least seven (7) citizens-at-large who shall be appointed to the Board by Resolution of Council.
 - (3) The Development Appeal Committee shall be composed of at least five (5) citizens-at-large and two (2) members of Council who shall be appointed by Resolution of Council.
 - (4) Each member of the Board shall be appointed for a term specified by Resolution of Council, but in no case shall the appointment be for more than one (1) year. Council may, by Resolution, remove any member from the Board prior to expiration of a member's term of appointment. A person may be reappointed upon expiration of that person's term.
 - (5) A citizen-at-large may be appointed to serve on one or both of the Subdivision Appeal Committee and Development Appeal Committee.
 - (6) Members of the Committee shall elect from its membership a Chairman and Vice-Chairman.
 - (7) Elections of the Chairman and Vice-Chairman shall occur at the first meeting of the Committee after the adoption of this Bylaw, and each year thereafter.


- (8) Any vacancy on the Board caused by retirement, resignation, ineligibility, incapacity or removal of any member may be filled by appointment by Council of a person who will serve the remainder of the term of office so vacated by the preceding member.
- (9) Subject to the Act, three (3) members of a Committee shall constitute a quorum at any meeting of the Committee.
- (10) The decision of a simple majority of the members present at any meeting of the Committee shall be deemed to be the decision of the whole Committee.
- (11) The members of the Board shall be paid such per-diem allowance, travelling and living expenses for attending hearings and performing their other duties as Council may determine from time to time.

SECRETARY OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

4. The Office of the Secretary of the Subdivision and Development Appeal Board is hereby constituted and shall be filled by appointment by Council of an employee of the Municipality.
5. The Secretary of the Subdivision and Development Appeal Board shall:
 - (1) ensure that all requirements of the Act are complied with;
 - (2) notify all members of the Board of the arrangements for the holding of each hearing and other meetings of the Board;
 - (3) prepare and maintain a file of written minutes of the business transacted at all meetings of the Board, copies of which shall be regularly filed with Council;
 - (4) issue to all affected parties and persons notices of the decisions of the Subdivision and Development Appeal Board consisting of a summary, findings of fact and reasons thereof;
 - (5) notify Council of the decisions of the Board;
 - (6) carry out such other administrative duties as the Board may specify.
6. That Bylaw No. 455 is repealed, effective September 28, 1995
7. This Bylaw comes into full force and effect upon third reading.

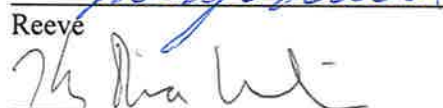
FIRST READING: September 28, 1995


Reeve


Municipal Manager

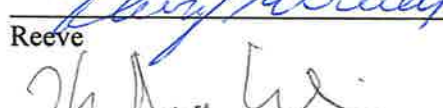
SECOND READING: September 28, 1995


Reeve


Municipal Manager

THIRD READING: September 28, 1995


Reeve


Municipal Manager

PASSED in open Council assembled at the Town of High River in the Province of Alberta, this 28 day of September, 1995