



**TOWN OF BLACKFALDS  
BY-LAW 1075/08**

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**A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO  
ESTABLISH A MUNICIPAL PLANNING COMMISSION BY-LAW**

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**WHEREAS** the Municipal Government Act R.S.A. 2000, Chapter M 26 and amendments thereto Council may by bylaw establish a Municipal Planning Commission;

**NOW THEREFORE** the Council of the Town of Blackfalds in the Province of Alberta duly assembled enacts as follows:

**Title:**

1. This By-law may be cited as the "Municipal Planning Commission By-Law".

**Definitions**

2. The following words and terms are defined as follows:
  - a. "**Act**" means the Municipal Government Act, RSA 2000, Chapter M-26, as amended.
  - b. "Commission" means the Municipal Planning Commission established by By-law;
  - c. "Council" means the Council of the Town of Blackfalds;
  - d. "Development Officer" means one of the persons appointed to the position of Development Officer pursuant to the Land Use By-law;
  - e. "Land Use By-Law" means Land Use By-Law and amendments thereto;
  - f. "Town" means the Town of Blackfalds.

**Establishment of Authority**

3. The Municipal Planning Commission is hereby established.

**Membership and Term**

4. The Commission shall consist of at least five persons, the majority of which shall be Councillors.
5. A Member of the Commission shall not include:
  - a. a Development Officer;
  - b. a Member of the Subdivision and Development Appeal Board.
6. Each Member of the Commission shall be appointed for a term specified by Resolution of Council, but in no case shall the appointment be for more than one year.
7. Notwithstanding Section 6, a person may be reappointed to the Commission upon the expiration of that person's term.
8. In the event of a vacancy, Council may appoint by Resolution of Council a new member to serve for the remainder of the vacating Member's term.
9. If a Member misses three (3) consecutive meetings without authorization of the Commission, the person is disqualified and the position becomes vacant, otherwise, a Member of the Commission shall not be discharged without cause.

10. The Chairman and Vice-Chairman of the Commission shall be appointed annually by Resolution of Council.

### **Procedure Matters**

11. A quorum of the Commission shall consist of a majority of the Members.
12. In the event of absence or inability of the Chairman to preside at a Commission meeting, the Vice-Chairman shall preside, and in the event of the absence or inability of both the Chairman and Vice-Chairman to preside at the meeting of the Commission, the Members present in constituting a quorum shall elect one of its members to act as Chairman.
13. Council shall appoint by Resolution of Council a person or persons to serve as Secretary to the Board, who shall:
  - a. not have a vote;
  - b. notify all Members of the Commission of the meetings of the Commission;
  - c. prepare and maintain a file of written minutes of meeting of the Commission;
  - d. record decisions of the Commission and issue the decision to all affected parties;
  - e. be authorized to sign on behalf of the Commission any order, decision, approvals, notice, or other thing made, given or issued by the Commission;
  - f. undertake other duties as Council or the Commission may require.
14. Only those Members of the Commission present at a meeting of the Commission shall be able to vote on a matter at the meeting.
15. A decision of the majority of Members present at a duly convened meeting of the Commission shall be deemed to be a decision of the whole Commission.
16. In the event of a tie vote, the matter before the Commission shall be deemed to be denied.
17. For any procedures not covered in Part 17 of the Act or by by-law of the Town, the Commission may establish procedures for the conduct of meetings.

### **Function and Duties**

18. The Commission has the following functions and duties:
  - a. Upon the request of Council, to advise Council with respect to achieving the orderly, economical and beneficial development, use of land and patterns of human settlement, and to maintain and improve the quality of the physical environment within which the patterns of settlement are situated in the Town;
  - b. To service as Development Authority pursuant to Part 17 of the Act and as empowered by Development Authority in respect to those powers and duties assigned to the Commission under the Land Use By-Law.
19. The Commission shall hold meetings and undertake actions as are necessary to fulfil the powers and duties of the Commission.
20. Development permit applications referred to the Commission shall be considered and either approved, with or without conditions, or refused in accordance with the Land use By-law and Part 17 of the Act and any regulations made thereunder.
21. Where a development permit application has been approved by the Commission, a development permit shall be issued forthwith in accordance with the decision of the Commission.
22. A decision of the Commission is not final until notification of the decision is given in writing.
23. If a Member has direct pecuniary interest in a matter before the Commission, or if a Member is aware of any factor that may constitute a reasonable apprehension of bias (but not including any alleged bias arising out of that Member's role as Councillor or as a representative of Council), the Member shall declare an interest or likelihood of bias to the Commission and shall abstain from discussion and voting on the matter, and such abstention shall be recorded in the minutes.

24. Notwithstanding Section 13.e, an order, decision or approval made, given, or issued by the Commission may be signed by the Chairman or Vice-Chairman of the Commission

**25 REPEAL OF BY-LAWS**

- 14.1 Upon the coming into force of this By-law, the Members of the Municipal Planning Commission appointed pursuant to the Municipal Planning Commission By-Law 760/95 are continued as Members of the Board under this By-Law until new Members are appointed in accordance to the By-Law with the provisions of this By-law.
- 14.2 By-Law 760/95 and any amendments thereto of the Town of Blackfalds is hereby repealed.
- 14.3 This By-Law shall come into force and effect upon the date of the passing of the third and final reading.

READ for the first time this 26<sup>th</sup> day of August, 2008

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Melodie Stol  
Chief Elected Official

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Corinne Newman  
Chief Administrative Officer

READ for the second time this      day of                      , 2008.

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Melodie Stol  
Chief Elected Official

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Corinne Newman  
Chief Administrative Officer

READ for the third and final time this      day of                      , 2008.

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Melodie Stol  
Chief Elected Official

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Corinne Newman  
Chief Administrative Officer