

**BYLAW 07-015
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD OF LAC LA BICHE COUNTY.

WHEREAS Section 627 of the Municipal Government Act, Chapter M 26, R.S.A. 2000 as amended, requires the Lac La Biche County to pass a bylaw to establish a Subdivision and Development Appeal Board;

AND WHEREAS Lac La Biche County Council deems it expedient to replace the Subdivision and Development Appeal Board Bylaws of the Former Lakeland County and the Former Town of Lac La Biche with a new bylaw;

NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Act, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

1. Name

1.1 This Bylaw may be cited as the Subdivision and Development Appeal Board Bylaw.

2. Definitions

2.1 Act means the Municipal Government Act, S.A. 2000 as amended.

2.2 "Council" means the Mayor and Councillors of Lac La Biche County 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 "Land Use Bylaw" means a bylaw adopted as a land use bylaw of Lac La Biche County and any amendments thereto.

3. Establishment and Membership

3.1 The Subdivision and Development Appeal Board of Lac La Biche County is hereby established.

3.2 The Subdivision and Development Appeal Board shall consist of ten (10) Members.

- 3.3 No more than five (5) Members will serve at any one hearing.
- 3.4 Composition of the Commission shall be as follows:
 - 3.4.1 Two (2) Members of Council, no more than one (1) of whom shall serve at any one hearing.
 - 3.4.2 Eight (8) Members at Large, no more than four (4) of whom shall be selected on a rotational and/or availability basis, shall serve at each hearing.
- 3.5 The following criteria will be considered in making the appointment of Subdivision and Development Appeal Board Members at Large:
 - 3.5.1 must be a Canadian citizen and a resident of Lac La Biche County.
 - 3.5.2 experience and/or background with Planning and Development; equivalents may be considered.
 - 3.5.3 experience on Municipal Boards or Governance.
 - 3.5.4 must be familiar with the area and its history.
 - 3.5.5 ability to make objective decisions.
 - 3.5.6 not have an ongoing, existing, or foreseeable development and/or planning issue within Lac La Biche County.
- 3.6 All Members shall be appointed by Council.
- 3.7 No person who is a Member of the Municipal Planning Commission shall be appointed to the Subdivision and Development Appeal Board.
- 3.8 If at any time, through resignation, death or otherwise, a vacancy occurs on the Subdivision and Development Appeal Board, the Council shall appoint a person to fill that vacancy for the balance of the term. When appointing a person to fill a vacancy, the Council shall be bound by the restrictions placed upon the original appointment.
- 3.9 The Subdivision and Development Appeal Board will meet as required.
- 3.10 Any additional hearings or hearing changes will be at the call of the Chairperson of the Subdivision and Development Appeal Board.
- 3.11 Notwithstanding any vacancy or abstention the remaining members of the Subdivision and Development Appeal Board may exercise and perform the duties of the Subdivision and Development Board, provided the quorum is maintained.

3.12 Council may remove a Member from the Subdivision and Development Appeal Board at any time.

4. Term of Office

4.1 Subject to paragraphs 4.2 and 4.3, the term for all Subdivision and Development Appeal Board Members shall be three (3) years. Except as provided in paragraphs 4.2 and 4.3, terms will start on January 1st of the first year and end December 31st of the third year;

4.2 In a general election year the Council Members who are, prior to the election, members of the Subdivision and Development Appeal Board shall cease to be members of the Board on the date of the annual organizational meeting and the terms of the Council Members appointed shall commence that day.

4.3 In order to establish staggered terms, the appointment of Members in October 2007 shall be for the following terms:

4.3.1 Two (2) Council Members appointed shall have three (3) year terms;

4.3.2 Three (3) of the Members at large shall be appointed from January 1, 2008 to December 31, 2009; and

4.3.3 Two (2) Members at large shall be appointed from January 1, 2008 to December 31, 2008.

4.4 A Council Member who ceases to be a Member of Council automatically ceases to be a member of the Subdivision and Development Appeal Board.

5. Chairperson

5.1 A Lac La Biche County Council member appointed to the Board shall serve as the Chairperson of the Board.

5.2 A Chairperson shall preside at the hearing of the Subdivision and Development Appeal Board.

6. Vice-Chairperson

6.1 At the first hearing of the Subdivision and Development Appeal Board, a Vice-Chairperson shall be elected by vote of the majority of the members.

6.2 The Vice-Chairperson shall preside at the hearing of the Subdivision and Development Appeal Board, if the Chairperson, for any reason, does not preside at the meeting.

6.3 In the absence of the Chairperson and Vice-Chairperson, one of the other Members of the Subdivision and Development Appeal Board shall be elected to preside by the remaining attending Members.

7. Secretary of the Subdivision and Development Appeal Board

7.1 The position of Secretary of the Subdivision and Development Appeal Board is hereby established and is to be administered by Lac La Biche County Administration.

7.2 The Subdivision and Development Appeal Board Secretary shall not be a Member of the Subdivision and Development Appeal Board or Municipal Planning Commission.

7.3 The Subdivision and Development Appeal Board Secretary shall have responsibilities and functions including the following:

7.3.1 Makes and keeps a record of the Subdivision and Development Appeal Board proceedings.

7.3.2 Ensures statutory notices and decisions of the Subdivision and Development Appeal Board are provided to such persons as the Act requires.

7.3.3 Compiles and provides agenda and hearing packages to Members and makes available to the public.

7.3.4 Signs decisions made by the Subdivision and Development Appeal Board.

8. Quorum and Meetings

8.1 A quorum of the Subdivision and Development Appeal Board shall be three (3) Members of the Subdivision and Development Appeal Board.

8.2 The Subdivision and Development Appeal Board may establish written rules of procedure as are necessary for the conduct of its meetings, and its business that are consistent with this bylaw; the land use bylaw, the Act, and any and all other pertinent planning documents which may become in effect from time to time. In the event the Subdivision and Development Appeal Board does not establish such rules of procedure the Subdivision and Development Appeal Board shall follow the same rules of procedure and/or protocol as are followed by the Council of Lac La Biche County.

9. Fees and Expenses

9.1 The remuneration, traveling, living and other expenses of the Members of the Subdivision and Development Appeal Board shall be established by Council from time to time.

9.2 The fees associated with the holding of meetings of the Subdivision and Development Appeal Board shall be set by resolution of Council and reviewed on an annual basis.

10. Responsibilities and Functions

10.1 The function and duties of the Subdivision and Development Appeal Board are to hear and decide on appeals received by Lac La Biche County pursuant to Sections 678 and 686 of the Municipal Government Act.

11. Repeal

11.1 The following bylaws are repealed:

11.1.1 Former Lakeland County Bylaw No. 02-012

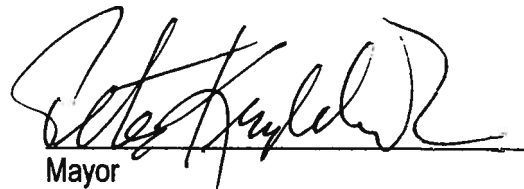
11.1.2 Former Town of Lac La Biche Bylaw No. 1074/95

MOTION BY COUNCILLOR QUIST THAT BYLAW 07-015 BE GIVEN FIRST READING THIS 30TH DAY OF OCTOBER, 2007.

MOTION BY COUNCILLOR BOCHKAREV THAT BYLAW 07-015 BE GIVEN SECOND READING THIS 30TH DAY OF OCTOBER, 2007.

MOTION BY COUNCILLOR UGANECZ THAT BYLAW 07-015 BE SUBMITTED FOR THIRD AND FINAL READING THIS 30TH DAY OF OCTOBER, 2007.

MOTION BY COUNCILLOR COLOSIMO THAT BYLAW 07-015 BE GIVEN THIRD READING THIS 30TH DAY OF OCTOBER, 2007.



Mayor



Chief Administrative Officer