

**BYLAW 19-022  
OF  
LAC LA BICHE COUNTY**

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A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL PLANNING COMMISSION.

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**WHEREAS** under the authority and pursuant to Section 626 of the *Municipal Government Act*, Chapter M 26, R.S.A. 2000 and amendments hereto, Council may establish a Municipal Planning Commission;

**AND WHEREAS** Section 623 of the *Municipal Government Act*, allows a Municipal Planning Commission to serve as a subdivision authority;

**AND WHEREAS** Section 624 of the *Municipal Government Act* allows a Municipal Planning Commission to serve as a development authority;

**AND WHEREAS**, the Council of Lac La Biche County deems it appropriate to establish a Municipal Planning Commission;

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

**Title**

- 1 This Bylaw is called the Municipal Planning Commission Bylaw.

**Definitions**

- 2 In this Bylaw,
  - (a) "Act" means the *Municipal Government Act*, Chapter M 26, R.S.A. 2000 as amended;
  - (b) "Administration" means staff members of the County;
  - (c) "Chief Administrative Officer" means the person appointed in accordance with the Act;
  - (d) "Commission" means the Lac La Biche County Municipal Planning Commission;
  - (e) "Council" means Lac La Biche County Council;
  - (f) "Land Use Bylaw" means a bylaw adopted as a land use bylaw of Lac La Biche County;

- (g) "Member at Large" means a person, but not a Member of Council, appointed to serve as a voting member;
- (h) "Organizational Meeting" is the annual organizational meeting of Council as required by the Act.

### **Establishment and Structure**

**3(1)** The Municipal Planning Commission of Lac La Biche County is hereby established and shall consist of eight (8) members appointed by resolution of Council as follows:

- (a) Five (5) Members of Council; and
- (b) Three (3) Members at Large.

**(2)** Members appointed to the Commission shall not be appointed to the Subdivision and Development Appeal Board of Lac La Biche County.

### **Authority**

**4(1)** The Commission's authority for rendering decisions on development applications is in accordance with the Lac La Biche County Development Authority Bylaw.

**(2)** The Commission's authority for rendering decisions on subdivision applications is in accordance with the Lac La Biche County Subdivision Authority Bylaw.

**(3)** Orders, decisions, notices and letters issued by the Commission shall be signed by Administration, as delegated by the Chief Administrative Officer.

**(4)** The Commission has no authority to make financial decisions on behalf of the County.

### **Term of Office**

**5(1)** The term of appointment for Members of Council shall run from the Organizational Meeting in one year to the date of the Organizational Meeting in the following year.

**(2)** All Council Member appointments shall terminate upon the Member ceasing to be a Member of Council.

**(3)** The term of appointment for Members at Large shall be three (3) years and shall begin on January 1<sup>st</sup> of the first year and end on December 31<sup>st</sup> of the third year.

**(4)** If any Member is unable or unwilling to continue to serve as a Member, Council may appoint a replacement Member to serve the balance of the term vacated.

**(5)** Council may remove a Member from the Municipal Planning Commission by resolution at any time.

(6) Members at Large appointed prior to the passing of this bylaw shall remain Members for the duration of the specified term.

(7) Council Members appointed prior to the passing of this bylaw shall remain Members until the first Organizational Meeting following adoption of this bylaw.

### **Chairperson and Vice-Chairperson**

6(1) The Chairperson and Vice-Chairperson of the Commission shall be elected by Council at the annual Organizational Meeting.

(2) The Chairperson shall preside over the conduct of the meeting, including the preservation of good order and decorum.

(3) The Vice-Chairperson shall preside at the meeting, if the Chairperson, for any reason, does not preside at the meeting.

(4) In the absence of the Chairperson and the Vice-Chairperson, one of the other Council Members appointed to the Commission shall be appointed by the members as Chair for that meeting, or until the Chairperson or Vice-Chairperson arrive.

### **Quorum**

7(1) Quorum of the Commission shall be five (5) members, of which three (3) must be Council Members.

(2) At any one meeting the majority of Members present shall be represented by Council Members.

### **Meetings**

8(1) The Commission may establish rules of procedure as are necessary for the conduct of its meetings that are consistent with this bylaw, the land use bylaw, the Act, and all other pertinent planning documents which may become in effect from time to time. In the event the Commission does not establish such rules of procedure, the Commission shall follow the same rules of procedure as are followed by the Council of Lac La Biche County.

(2) The Commission may choose to hear representations with respect to any matter over which it decides.

(3) In accordance with the Act, the Commission may deliberate and make its decisions in meetings closed to the public.

(4) Only those members of the Commission present at a meeting of the Commission shall be permitted to vote on any matter before it.

(5) The decision of the majority of the members present at a duly convened meeting shall be deemed to be the decision of the whole Commission. If there are an equal number of votes for or against the resolution, the resolution is defeated.

(6) At the annual organizational meeting, Council shall establish the regular meeting schedule of the Commission. Changes to the date, time or place of a regular meeting, or calling of a special meeting, shall be authorized by the Chairperson, or the Vice-Chairperson if the Chairperson is unavailable.

(7) As delegated by the Chief Administrative Officer, representatives from Administration shall serve as non-voting advisors to the Commission.

(8) The Chief Administrative Officer shall delegate responsibility for preparing agendas, keeping records and minutes of the Commission proceedings.

(9) Minutes of the Commission shall be signed by the Chairperson and an Administrative representative in attendance at the meeting, as delegated by the Chief Administrative Officer.

### **Fees and Expenses**

9 Members of the Commission shall be eligible for remuneration and reimbursement in accordance with the applicable remuneration and expense policies of Lac La Biche County.

### **Severability**

10 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

### **Repeal**

11 Lac La Biche County Bylaw 13-041 is hereby repealed.

### **Effective Date**

12 This Bylaw shall come into force and effect upon third reading.

**MOTION BY DEPUTY MAYOR TKACHUK THAT BYLAW 19-022 BE GIVEN FIRST READING THIS 13<sup>TH</sup> DAY OF AUGUST 2019.**

"Original Signed"

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Mayor

"Original Signed"

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Chief Administrative Officer

**MOTION BY COUNCILLOR BENIUK THAT BYLAW 19-022 BE GIVEN SECOND READING THIS 10<sup>TH</sup> DAY OF SEPTEMBER 2019.**

MOTION BY COUNCILLOR JOHNSON THAT BYLAW 19-022 BE GIVEN THIRD AND FINAL READING THIS 10<sup>TH</sup> DAY OF SEPTEMBER 2019.

"Original Signed"

Mayor

"Original Signed"

Chief Administrative Officer