

**BYLAW 13-041  
OF  
LAC LA BICHE COUNTY**

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

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**WHEREAS** Section 623 of the Municipal Government Act, Chapter M 26, RS.A. 2000 as amended, allows for the establishment of the subdivision authority;

**AND WHEREAS** Section 626 of the Municipal Government Act RS.A. 2000 as amended allows for the establishment of the Municipal Planning Commission;

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

**1. Name**

1.1 This Bylaw may be cited as the "Municipal Planning Commission 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 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, and any amendments thereto.

**3. Establishment and Membership**

3.1 The Municipal Planning Commission of Lac La Biche County is hereby established.

3.2 The Municipal Planning Commission shall consist of eight (8) Members.

3.3 Composition of the Commission shall be as follows:

3.3.1 Five (5) Members of Council, one (1) of whom shall be appointed as the Chairperson and one (1) of whom shall be appointed as the Vice Chairperson; and

3.3.2 Three (3) Members at large.

#### **4. Term of Office**

- 4.1 Subject to paragraphs 4.2 and 4.3, the term for all Municipal Planning Commission Members shall be three (3) years. Except as provided in paragraphs 4.2 and 4.3, terms will start on January 1<sup>st</sup> of the first year and end on December 31<sup>st</sup> of the third year;
- 4.2 In a general election year the Council Members who are, prior to election, members of the Municipal Planning Commission shall cease to be members of the Commission on the date of the annual organizational meeting and the terms of the Council members appointed shall commence that day.
- 4.3 A Council Member who ceases to be a Member of Council automatically ceases to be a member of the Municipal Planning Commission.

#### **5. Vice Chairperson**

- 5.1 The Vice Chairperson shall preside at the meetings of the Municipal Planning Commission, if the Chairperson, for any reason, does not preside at the meeting.
- 5.2 In the absence of the Chairperson and Vice Chairperson, one of the other Council Members sitting on the Municipal Planning Commission shall be elected to preside by the remaining attending Members.

#### **6. Secretary of the Municipal Planning Commission**

- 6.1 The position of Secretary of the Municipal Planning Commission is hereby established and is to be administered by Lac La Biche County Administration.
- 6.2 The Municipal Planning Commission Secretary shall not be a Member of the Municipal Planning Commission or Subdivision and Development Appeal Board.
- 6.3 The Municipal Planning Commission Secretary shall have responsibilities and functions including the following:
  - 6.3.1 Makes and keeps records of the Municipal Planning Commission proceedings which shall be in the form of minutes.
  - 6.3.2 Ensures statutory notices and decisions of the Municipal Planning Commission are provided to such persons as the Act requires.
  - 6.3.3 Compiles and provides agenda and meeting packages to Members and makes available to the public.
  - 6.3.4 Signs decisions made by the Municipal Planning Commission.

#### **7. Quorum and Meetings**

- 7.1 A quorum of the Municipal Planning Commission shall be five (5) Members of the Municipal Planning Commission of which three (3) must be Council Members. At any one meeting the majority of Members present shall be represented by Council Members.

- 7.2 The Municipal Planning Commission 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 Municipal Planning Commission does not establish such rules of procedure the Municipal Planning Commission shall follow the same rules of procedure and/or protocol as are followed by the Council of Lac La Biche County.

## **8. Fees and Expenses**

- 8.1 The remuneration, travelling, living and other expenses of the Members of the Municipal Planning Commission shall be established by Council from time to time.
- 8.2 The fees associated with the holding of meetings of the Municipal Planning Commission shall be set by resolution of Council and reviewed on an annual basis.

## **9. Responsibilities and Functions**

- 9.1 The Municipal Planning Commission is the subdivision authority for all subdivision applications with the exception of subdivisions within a Direct Control District, which the subdivision authority will consist of a quorum of Council.
- 9.2 The Municipal Planning Commission shall be the development authority for the following, and shall:
- 9.2.1 Issue decisions for development permit applications for those uses listed as Discretionary Uses in the subject Land Use District and determine the method of notification;
  - 9.2.2 Issue decisions for those uses listed as Permitted Uses which the Development Officer refers to the Municipal Planning Commission; and
  - 9.2.3 Consider any other planning or development matters referred by the Development Officer.
- 9.3 The Municipal Planning Commission shall advise and assist the Council with regard to the planning, orderly and economical development within the Municipality and shall seek to ensure that any proposed development is in accordance with the purpose, scope, or intent of the Land Use Bylaw.
- 9.4 The Municipal Planning Commission is not required to hear any representations with respect to any matter over which it makes a decision or recommendation.
- 9.5 The Municipal Planning Commission shall deliberate and reach its decision in closed session. In arriving at its decision, the majority vote to those Members present shall constitute the decision of the Municipal Planning Commission. If the vote results in a tie, the motion is defeated.

**10. Repeal**

- 10.1 The following bylaws are hereby repealed:  
Lac La Biche County Bylaw 07-014  
Lac La Biche County Bylaw 13-006

11. This Bylaw shall come into force and effect on January 13, 2014.

**MOTION BY COUNCILLOR NOWAK THAT BYLAW 13-041 BE GIVEN FIRST READING THIS 10<sup>TH</sup> DAY OF DECEMBER, 2013.**

**MOTION BY COUNCILLOR THOMPSON THAT BYLAW 13-041 BE GIVEN SECOND READING THIS 10<sup>TH</sup> DAY OF DECEMBER, 2013.**

**MOTION BY COUNCILLOR SIEBOLD THAT BYLAW 13-041 BE SUBMITTED FOR THIRD AND FINAL READING THIS 10<sup>TH</sup> DAY OF DECEMBER, 2013.**

**MOTION BY COUNCILLOR HAYMOUR THAT BYLAW 13-041 BE GIVEN THIRD READING THIS 10<sup>TH</sup> DAY OF DECEMBER, 2013.**

"Original Signed"  
Mayor

"Original Signed"  
Chief Administrative Officer