

TOWN OF VULCAN
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1387-10

A BYLAW OF THE TOWN OF VULCAN IN THE PROVINCE OF ALBERTA TO ESTABLISH A REGIONAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD;

AND WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time, requires the municipality to adopt a bylaw to establish a municipal subdivision and development appeal board or a regional subdivision and development appeal board;

AND WHEREAS the Council of the Town of Vulcan wishes to join other area municipalities to establish a regional subdivision and development appeal board;

AND WHEREAS a regional subdivision and development appeal board is authorized to render decisions on appeals resulting from decisions of a subdivision authority or a development authority in accordance with the Provincial Land Use Policies, the Subdivision and Development Regulation, the local land use bylaw and statutory plans;

NOW THEREFORE, the Council of the Town of Vulcan in the Province of Alberta duly assembled, enacts as follows:

1. This bylaw may be cited as the Vulcan County Regional Subdivision and Development Appeal Board Bylaw.
2. The Town of Vulcan is authorized to enter an agreement with:
 - Vulcan County
 - the Village of Carmangay
 - the Village of Champion
 - the Village of Milo
 - the Village of Arrowwood
 - the Village of Lomondto establish the Vulcan County Regional Subdivision and Development Appeal Board.
3. DEFINITIONS:
 - (a) **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
 - (b) **Member municipality** means the municipality in the Province of Alberta who has entered the agreement referred to in section 2.
 - (c) **Regional Subdivision and Development Appeal Board** means the board established by agreement to act as the municipal appeal board.
 - (d) **Member** means a member of the Regional Subdivision and Development Appeal Board appointed in accordance with this bylaw.
 - (e) **Secretary** means the person or persons authorized to act as secretary for the Regional Subdivision and Development Appeal Board by the member municipality within which the appeal is held.
 - (f) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**

4. For the purpose of this bylaw, the Regional Subdivision and Development Appeal Board shall be composed of not more than seven persons who are appointed by the councils who are members.
5. Appointments to the Regional Subdivision and Development Appeal Board shall be made by resolution of the council of the member municipality and shall consist of one member of council.
6. Four members of the Regional Subdivision and Development Appeal Board constitute a quorum.
7. Appointments to the Regional Subdivision and Development Appeal Board shall be made for a term of not more than three years.
8. The members of the Regional Subdivision and Development Appeal Board shall elect one of themselves as chair for the purpose of a hearing. The chair may be a member from the municipality in which the appeal is located.
9. Each member of the Regional Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by the councils; and the remunerations, travelling and living expenses shall be paid by the municipality in which the appeal is located.
10. The council of the municipality in which the appeal is located may, by resolution, appoint a secretary who shall attend all meetings of the Regional Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Regional Subdivision and Development Appeal Board.
11. The Regional Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Regional Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of a member municipal council.
12. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Regional Subdivision and Development Appeal Board.
13. The Regional Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
14. The Regional Subdivision and Development Appeal Board may make rules to govern its hearings.
15. Members of the Regional Subdivision and Development Appeal Board shall not be members of a municipal subdivision authority or development authority in the municipality in which the appeal is located.
16. When a person ceases to be a member of the Regional Subdivision and Development Appeal Board before the expiration of his/her term the applicable council may, by resolution, appoint another person for the unexpired portion of that term.

17. The secretary of the Regional Subdivision and Development Appeal Board shall attend all meetings of the Regional Subdivision and Development Appeal Board held in that member municipality and shall keep the following records of appeals related to their municipality with respect to:

- (a) the minutes of all meetings;
- (b) records of all notices of meetings and of persons to whom they were sent;
- (c) copies of all written representations to the Regional Subdivision and Development Appeal Board;
- (d) notes as to each representation;
- (e) the names and addresses of those making representations at the meeting;
- (f) the decision of the Regional Subdivision and Development Appeal Board;
- (g) the reasons for the decision of the Regional Subdivision and Development Appeal Board on the decision;
- (h) the vote of the members of the Regional Subdivision and Development Appeal Board on the decision;
- (i) records of all notices of decision and of persons to whom they were sent;
- (j) all notices, decisions and orders made on appeal from the decision of the Regional Subdivision and Development Appeal Board;
- (k) such other matters as the Regional Subdivision and Development Appeal Board may direct.

18. This bylaw comes into effect upon third and final reading thereof.

19. Bylaw No. 1211 and amendments thereto are hereby rescinded.

READ a first time this 27th day of SEPTEMBER, 2010.

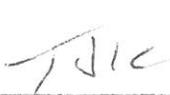


Mayor - Tom Grant

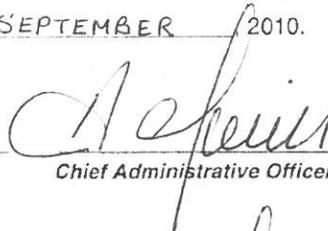


Chief Administrative Officer - Alcide Cloutier

READ a second time this 27th day of SEPTEMBER, 2010.

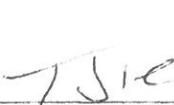


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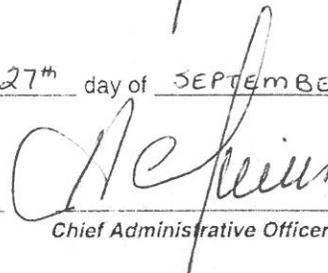


Chief Administrative Officer - Alcide Cloutier

READ a third time and finally PASSED this 27th day of SEPTEMBER, 2010.



Mayor - Tom Grant



Chief Administrative Officer - Alcide Cloutier