

## Bylaw 998-12

### Subdivision and Development Appeal Board

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BEING A BYLAW OF THE TOWN OF RAYMOND IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL 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;

AND WHEREAS the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision & Development Authority of the Town of Raymond in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, this bylaw may be cited as the Town of Raymond Subdivision and Development Appeal Board Bylaw;

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

1. DEFINITIONS:

- a) **ACT** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
  - b) **MUNICIPALITY** means the Town of Raymond in the Province of Alberta.
  - c) **COUNCIL** means the municipal council of the Town of Raymond.
  - d) **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** means the tribunal established to act as the municipal appeal body.
  - e) **MEMBER** means a member of the Subdivision and Development Appeal Board.
  - f) **SECRETARY** means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
  - g) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
2. For the purpose of this bylaw, the Subdivision and Development Appeal Board shall be composed of not more than seven persons who are adult residents of the Town of Raymond.
  3. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of council.

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4. Appointments to the Subdivision and Development Appeal Board shall be made at the annual Organizational Meeting of Council, for the term of one year expiring at the date of the following Organizational Meeting of Council.
5. The Council shall appoint a member of the Subdivision and Development Appeal Board as Chair, and shall appoint one as Vice-Chair to hold office for the length of the appointed term.
6. In the event that a meeting or hearing is held and neither the Chair nor Vice Chair is able to be in attendance, the Subdivision and Development Appeal Board may, by resolution, appoint one from among its members in attendance, as Acting Chair for that meeting.
7. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of their term, the Council may, by resolution, appoint another person for the unexpired portion of that term. If that person was either the Chair or the Vice Chair, then Council shall appoint a new Chair or Vice Chair as needed, by resolution.
8. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling, and living expenses as may be fixed from time to time by Council; and the remuneration, travelling, and living expenses shall be paid by the Town of Raymond.
9. The Council shall, by resolution, appoint an appeal board Secretary, who shall be in attendance at all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board. Council may, by resolution, appoint assistant secretaries to assist the Secretary and who may act in the Secretaries' stead in all functions and duties, including those carried out at an appeal board hearing, in the event the Secretary is not able to attend the hearing or to their duties.
10. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the chair or vice chair.
11. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
12. The Subdivision and Development Appeal Board may make any orders, decisions, and development or subdivision approvals, according to the Act; and may issue notices or decisions with or without conditions, according to the Act.
13. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - a) the minutes of all meetings;
  - b) all applications, and corresponding application files;
  - c) records of all notices of meetings and of all persons to whom they were sent;
  - d) copies of all written representations to the Subdivision and Development Appeal Board;

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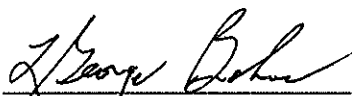
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- e) notes as to each representative;
  - f) the names and addresses of those making representations at the meeting;
  - g) the written decisions of the Subdivision and the Development Appeal Board;
  - h) the reasons for the decision of the Subdivision and Development Appeal Board;
  - i) records all notices of decision and of all persons to whom they were sent; and
  - j) such other matters as the Subdivision and Development Appeal Board may direct.
14. Four members of the Subdivision and Development Appeal Board constitute a quorum.
15. Members of the Subdivision and Development Appeal Board shall not be members of Council.
16. The Subdivision and Development Appeal Board may make rules to govern its hearings.
17. Members of the Subdivision and Development Appeal Board shall not be members of the Municipal Planning Commission.
18. This bylaw shall come into effect upon third and final reading thereof.
19. Bylaw No. 848-95 and Bylaw No. 945-08 are both hereby rescinded.

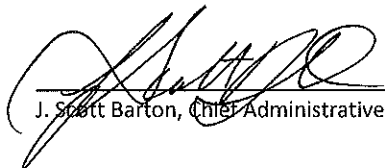
Read a first time this 2<sup>nd</sup> day of October, 2012.

Read a second time this 16<sup>th</sup> day of October, 2012.

Read a third time and finally passed this 16<sup>th</sup> day of October, 2012.



L. George Bohne, Mayor



J. Scott Barton, Chief Administrative Officer

