CORPORATION OF THE VILLAGE OF BARNWELL
IN THE
PROVINCE OF ALBERTA

BYLAW NO. 10-24

BEING A BYLAW OF THE VILLAGE OF BARNWELL IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY AND MUNICIPAL PLANNING COMMISSION.

WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority and a municipal Development Authority;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decision on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for subdivision approval in accordance with the South Saskatchewan Regional Plan, Municipal Government Act, Subdivision and Development Regulation, the municipal land use bylaw, and statutory plans;

AND WHEREAS, The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended permits the municipality to adopt a bylaw to establish a Municipal Planning Commission to act as the municipal Subdivision Authority and Development Authority;

AND WHEREAS, this bylaw may be cited as the Village of Barnwell Subdivision and Development Authority/Municipal Planning Commission Bylaw;

NOW THEREFORE, the Council of the Village of Barnwell 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 Village of Barnwell in the Province of Alberta.

   c) **COUNCIL** means the Municipal Council of the Village of Barnwell.

   d) **MUNICIPAL PLANNING COMMISION** means the person or persons appointed to exercise and perform the Development and Subdivision Authority powers and duties on behalf of the municipality as are specified:

      i) in the Act; or

      ii) in the Village of Barnwell Land Use Bylaw; or

      iii) in this bylaw; or

      iv) by resolution of council.

   e) **DEVELOPMENT OFFICER** means a person or persons authorized to act

as the development officer for the municipality as established by bylaw.

f) **MEMBERS** means the members of the Municipal Planning Commission.

g) **SECRETARY** means the person or persons appointed by council to act as secretary of the Subdivision and Development Authority.

h) **AUTHORIZED PERSON** means a person or organization, regional services commission, or intermunicipal service agency authorized by the council to which the municipality may delegate any of its Subdivision Authority and/or Development Authority powers, duties or functions.

i) 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.

PART 1 - SUBDIVISION AND DEVELOPMENT AUTHORITY

2. The Subdivision and Development Authority is hereby established in accordance with the Act.

3. For the purpose of this bylaw, the Subdivision and Development Authority for the municipality shall be the Municipal Planning Commission, except in such instances whereby the development officer may be the Development Authority in accordance with the land use bylaw.

4. The Municipal Planning Commission is authorized to exercise development and subdivision powers and duties on behalf of the municipality as are specified in the Act, in the Village of Barnwell Land Use Bylaw, in this bylaw, or by resolution of Council.

5. The municipality may by resolution delegate any of its subdivision authority and/or development authority powers, duties or functions to an authorized person or persons.

PART 2 - MUNICIPAL PLANNING COMMISSION

6. The Municipal Planning Commission is hereby established in accordance with the Act.

7. The Municipal Planning Commission shall be comprised of a minimum of three (3) and a maximum of five (5) persons, all of whom shall be elected members of Council.

8. Appointments to the Municipal Planning Commission shall be made by resolution of Council.

9. Appointments to the Municipal Planning Commission shall be made for a term of one year, expiring on the date of the next annual organizational meeting of Council.

10. When a person ceases to be a member of the Municipal Planning Commission before the expiration of his/her term, Council may, by resolution, appoint another person for the unexpired portion of that term.

11. After the organizational meeting of Council each year, the members of the Municipal Planning Commission shall elect one of themselves as chairman and one as vice-chairman to hold office for a term of one year.

12. If the chairman or vice-chairman for whatever reason ceases to hold that position prior to the end of the term, members of the Municipal Planning Commission may, by resolution, appoint another member for the unexpired portion of that term.

13. Each member of the Municipal Planning Commission 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 Village of Barnwell.

14. Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Municipal Planning Commission, but shall not vote on any matter before the Municipal Planning Commission.

15. The Municipal Planning Commission shall hold regular meetings at least 12 times per year on a date to be determined by the Municipal Planning Commission unless there are no agenda items, and it may also hold special meetings at any time at the call of the chairman or vice-chairman.

16. Majority of the Municipal Planning Commission shall constitute a quorum.

17. The decision of the majority of the members present at the meeting shall be deemed to be the decision of the whole Municipal Planning Commission.

18. The Municipal Planning Commission may make its orders, decisions, development permits, and approvals, and may issue notices with or without conditions.

19. Any order, decision or approval made, given or issued by the Municipal Planning Commission may be signed by a development officer or by the chairman or vice-chairman of the Municipal Planning Commission.

20. The Municipal Planning Commission may make rules to govern its hearings.

21. The secretary of the Municipal Planning Commission shall attend all meetings of the Municipal Planning Commission and shall keep the following records with respect thereto:
    a) the minutes of all meetings;
    b) all applications;
    c) records of all notices of meetings and or persons to whom they were sent;
    d) copies of all written representations to the Subdivision and Development Authority;
    e) notes as to each representation;
    f) the names and addresses of those making representations at the meeting;

g) the decision of the Subdivision and Development Authority;
h) the reasons for the decision of the Subdivision and Development Authority;
i) the vote of the members of the Subdivision and Development Authority on the decision;
j) records of all notices of decision and of persons to whom they were sent;
k) all notices, decisions and orders made on appeal from the decision of the Subdivision and Development Authority;
l) such other matters as the Subdivision and Development Authority may direct.

22. This bylaw shall come into effect upon third and final reading thereof.

23. Bylaw No. 9-95 and amendments thereto are hereby rescinded.

READ a **first** time this 9 day of December 2024.

READ a **second** time this 9 day of December 2024.

READ a **third** time and passed this 9 day of December 2024.

Misey Foster
Mayor – Misey Foster

Angie Jensen
Interim CAO – Angie Jensen