



**WESTLOCK COUNTY BY-LAW NO. 03-2018**  
**WESTLOCK, ALBERTA**

Being a bylaw of Westlock County, in the Province of Alberta, that authorizes Westlock County to establish a Municipal Planning Commission by bylaw and that Bylaw 10-1979 be rescinded.

WHEREAS pursuant to Section 7(f) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto (the "MGA"), a municipality has jurisdiction to pass bylaws for municipal purposes respecting services provided by or on behalf of the municipality;

NOW, THEREFORE, THE COUNCIL OF WESTLOCK COUNTY, DULY ASSEMBLED, ENACTS AS FOLLOWS:

**1. Title**

This bylaw may be cited as the "Municipal Planning Commission Bylaw".

**2. Definitions**

In this bylaw the following words and phrases mean:

- 2.1. "Act" means the Municipal Government Act, R.S.A. 2000, as amended.
- 2.2. "Council" means the duly elected and sitting Reeve and Councilors of Westlock County.
- 2.3. "Development Application" means an application made in accordance with the Land Use Bylaw for the purpose of obtaining a development permit.
- 2.4. "Development Authority" means the persons established under section 3 of the Development Authority Bylaw to perform the functions of a Development Authority under the Act.
- 2.5. "Development Officer" means the persons established under section 4 of the Development Authority Bylaw to perform the functions of a Development Authority under the Act.
- 2.6. "Development Permit" means a document authorizing a development issued in accordance with the Land Use Bylaw of Westlock County.
- 2.7. "Land Use Bylaw" means the Bylaw adopted as a land use bylaw pursuant to the Act or the former Act.
- 2.8. "Subdivision Authority" means the person(s) established under Section 3 of the Subdivision Authority Bylaw to perform the functions of a Subdivision Authority under the Act.

  
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2.9. "Municipal Planning Commission Secretary" means the person appointed to the position established under Section 7 of this Bylaw.

**3. Establishment and Membership**

- 3.1. The Municipal Planning Commission of Westlock County is hereby established.
- 3.2. The Municipal Planning Commission shall consist of five (5) members appointed by resolution of Council.
- 3.3. No person who is an employee of the County or who is a member of the Subdivision and Development Appeal Board of Westlock County shall be appointed to the Municipal Planning Commission.
- 3.4. Any vacancies caused by the death, retirement or resignation of a member may be filled by resolution of the Council.
- 3.5. Council may remove a member of the Municipal Planning Commission by resolution at any time.
- 3.6. Under extraordinary circumstances, such as when a large number of members of the Municipal Planning Commission have a potential pecuniary or conflict of interest, the Council may appoint additional members of the Municipal Planning Commission for a specific, short period of time, as the Council see fit, in order to attempt to ensure that the Municipal Planning commission will have a quorum for a meeting and a hearing.

**4. Terms of Office**

- 4.1. Subject to Section 3.5 and 4.3 of this bylaw, each member of the Municipal Planning Commission appointed from the Council shall be appointed for a term of one (1) year and may be reappointed upon the expiry of the term at the pleasure of the Council.
- 4.2. Members of the Municipal Planning Commission appointed from Council shall be appointed at each organizational meeting of the Council each year.

**5. Chair**

- 5.1. At the first meeting of the Municipal Planning Commission following the appointment of members each year, a Chair shall be elected by vote of the majority of the members.
- 5.2. A member may be re-elected to the position of Chair.
- 5.3. The Chair shall preside at the meetings of the Municipal Planning Commission.

**6. Vice-Chair**

- 6.1. A Vice-Chair shall be elected at the same time under the same rules as the Chair.
- 6.2. A member may be re-elected to the position of Vice-Chair
- 6.3. The Vice-Chair shall reside at the meetings of the Municipal Planning Commission in the place of the Chair if the Chair, for any reason, does not preside at the meeting.

  
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- 6.4. In the absence of the Chair and the Vice-Chair, one of the other members of the Municipal Planning Commission shall be elected to preside.

**7. Secretary of the Municipal Planning Commission**

- 7.1. The position of designated officer for the limited purpose of carrying out the function of the Secretary to the Municipal Planning Commission is hereby established. ("Municipal Planning Commission Secretary")
- 7.2. The Municipal Planning Commission Secretary shall be appointed by resolution of the Council and shall not be a member of the Municipal Planning Commission.
- 7.3. The Municipal Planning Commission Secretary shall have the following responsibilities and functions:
  - 7.3.1. Makes and keeps a record of the Municipal Planning Commission proceedings which may be in the form of a summary of the evidence presented at a hearing;
  - 7.3.2. Compiles and provides Agenda and meeting packages to members and makes available to the public; and
  - 7.3.3. Signs orders, decision, approvals, notices, and other items given by the Municipal Planning Commission on its behalf.

**8. Quorum and Meetings**

- 8.1. A quorum of the Municipal Planning Commission shall be any three (3) members of the Municipal Planning Commission.
- 8.2. The Municipal Planning Commission shall meet at such intervals as are necessary to consider and decide on matters before it.
- 8.3. The Municipal Planning Commission shall have prepared and maintain a file of written Minutes of the business transacted at all meetings and hearings of the Municipal Planning Commission, copies of which shall be regularly filed with the Council. These Minutes may be in the form of a summary of the activities undertaken, together with the motions made, at the meetings and hearings.
- 8.4. A member of the Municipal Planning Commission who is for any reason unable to attend the whole or part of the deliberations on a particular application, shall not participate in the continued deliberations or in the decision of the Municipal Planning Commission on that application.
- 8.5. The Municipal Planning Commission may make rules that are necessary for the conduct of its meetings and its business that are consistent with this Bylaw, the Westlock County Bylaw and the Act.
- 8.6. The decision of the majority of the members present at a meeting duly convened shall be deemed the decision of the whole Commission.
- 8.7. Only those member of the Commission present at a meeting of the Commission shall vote on any matter before it.

  
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**9. Fees and Expenses**

- 9.1. The remuneration, traveling, living and other expenses of the members of the Municipal Planning Commission shall be established by Council from time to time.
- 9.2. The fees associated with the launching of applications, and the meetings of the Municipal Planning Commission will be set by the Council, by Bylaw.


**10. Responsibilities**

- 10.1. The Municipal Planning Commission shall:
  - 10.1.1. Advise and assist the Council with regards to the planning of orderly and economical development within the County and shall seek to ensure that any proposed development is in accordance with the purpose, scope or intent of the Land Use Bylaw; and
  - 10.1.2. Act as Development Authority for Westlock County where provided for in the Westlock County Development Authority Bylaw and Land Use Bylaw.

**11. Effective Date**

- 11.1 This bylaw shall become effective on February 13, 2018.
- 11.2 Bylaw 10-1979 is hereby repealed.

**READ A FIRST TIME THIS 13<sup>th</sup> DAY OF February, 2018.**

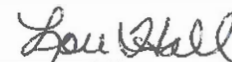


Reeve



Chief Administrative Officer

**READ A SECOND TIME THIS 13<sup>th</sup> DAY OF February, 2018**



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Chief Administrative Officer

RECEIVED UNANIMOUS CONSENT FOR CONSIDERATION OF THREE READINGS IN ONE MEETING VIA COUNCIL RESOLUTION # 55/18, THIS 13<sup>th</sup> DAY OF February, 2018.

READ A THIRD TIME AND PASSED THIS 13<sup>th</sup> DAY OF February, 2018.

Tom Hall

Reeve

[Signature]

Chief Administrative Officer

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