

**TOWN OF PEACE RIVER
BYLAW NO. 1993**

BEING A BYLAW OF THE TOWN OF PEACE RIVER IN THE PROVINCE OF ALBERTA TO ESTABLISH THE TOWN OF PEACE RIVER MUNICIPAL PLANNING COMMISSION

WHEREAS Section 626 of the *Municipal Government Act*, RSA 2000, Chapter M-26, provides that a Council may, by bylaw, establish a Municipal Planning Commission; and

WHEREAS the Council of the Town of Peace River desires to adopt a bylaw to establish a Municipal Planning Commission and define the duties and procedures of the Commission;

NOW THEREFORE the Council of the Town of Peace River duly assembled enacts as follows:

TITLE

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

DEFINITIONS

2. In this bylaw:
 - a) **Chief Administrative Officer (CAO)** means a person appointed to this position for the Town under Section 205 of the *Municipal Government Act*.
 - b) **Commission** means the Town's Municipal Planning Commission.
 - c) **Council** means the duly elected municipal Council of the Town of Peace River.
 - d) **Development Officer** means the person appointed by Council to act as Development Officer.
 - e) **Land Use Bylaw** means the Town's Land Use Bylaw and any amendments thereto.
 - f) **Meeting** means the act of coming together of Commission members to join in discussion and make decisions and includes telephone conferencing.
 - g) **Municipal Government Act (MGA)** means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and any amendments thereto.

- h) **Municipal Planning Commission (MPC)** means members from Council and Public at Large appointed by resolution of Council to the municipality's Municipal Planning Commission.
- i) **Municipality** means the corporation of the Town of Peace River.
- j) **Organizational Meeting of Council** means the annual organizational meeting of Council held pursuant to Section 192(1) of the *Municipal Government Act*.
- k) **Pecuniary Interest** means an interest as described in Part 5, Division 6 of the *Municipal Government Act* as applied and adapted in the context of this bylaw.
- l) **Procedural Bylaw** means the Town's Procedural Bylaw and any amendments thereto.
- m) **Public at Large** means a person or persons from the general public residing within the boundaries of the municipality unless otherwise permitted within Section 9 of this bylaw.
- n) **Recording Secretary** means a person appointed by the CAO to act, in a non-voting capacity, as the recording secretary for MPC meetings.
- o) **Town or Town of Peace River** means the corporation of the Town of Peace River.
- p) **All other terms** used in the bylaw shall have the meaning assigned to them by the *Municipal Government Act, RSA 2000*, as amended, to the extent that the said meaning differs from the ordinary meaning of such terms.

ADMINISTRATION

3. The Municipal Planning Commission is hereby established.
4. The Commission shall be composed of a maximum of nine (9) members which may include no more than three (3) members of Council, with the remaining members from the Public at Large.
5. All Commission members shall be appointed by resolution of Council.
6. The Development Officer, or designate, shall serve as a non-voting advisor to the Commission and may attend all meetings.
7. Where the Commission deems it necessary, it may request a person or persons to attend its meetings in a non-voting advisory capacity.

ELIGIBILITY

8. No person who is a Development Officer, a Town staff member, or a member of the Subdivision and Development Appeal Board shall be appointed to act as a member of the Commission.

9. Public at Large members of the Commission shall not include non-residents of the Town of Peace River unless:
- a) there would be no more than one (1) non-resident member, who has a substantial connection to the Town of Peace River by virtue of either owning property or operating a business within the Town's municipal boundaries, or Council otherwise deems a substantial connection for good and sufficient reason. Preference will be given to resident applications foremost.

QUORUM

10. Five (5) members of the Commission shall constitute a quorum.

TERM OF OFFICE

11. Public at Large members of the Commission shall be appointed by resolution of Council for a term of office of three (3) years and the term may be renewed by Council.
12. Council members of the Commission shall be appointed annually at the Organizational Meeting of Council.
13. A member from Council who ceases to hold his or her position on Council automatically ceases to be a member of the Commission.
14. Council may by resolution remove a member from the Commission at any time.
15. Commission appointments made prior to adoption of this bylaw will continue until expiration of that term of office.

CHAIR / VICE-CHAIR

16. The members of the Commission shall elect one of themselves to act as Chair and one of themselves to act as Vice-Chair. In the absence of the Chair, the Vice-Chair will act as Chair. In the absence of both the Chair and Vice-Chair, the members shall elect one of those present as acting Chair.

FUNCTIONS AND DUTIES OF THE COMMISSION

17. The Commission shall:
- a) advise and assist the Council and various departments and agencies of the municipality with regard to the planning or orderly economical and beneficial development and use of land within the municipality; and
 - b) receive, consider, and decide on those development applications required to be decided on by the Commission under the Land Use Bylaw or any other application or issues referred to the Commission by the Development Officer; and

- c) perform, on behalf of Council, any other duties or functions assigned to the Commission.

MEETINGS

- 18. The Commission shall hold such meetings as are necessary to fulfill the Commission's functions and duties.
- 19. The Development Officer, or delegate, shall notify Commission members of upcoming meetings and prepare an agenda for each meeting.
- 20. The Recording Secretary shall prepare written minutes of each meeting and regularly file the adopted minutes with Council.
- 21. For those matters not covered in this bylaw, the Municipal Planning Commission may refer to the Town's Procedural Bylaw.

ABSENT MEMBERS

- 22. Where a meeting is held by the Commission and a member or members of the Commission is or are for any reason unable to attend on any day or date, the other members present have power to continue as fully and effectively as if members unable to attend were present and have and may exercise and perform the powers and duties of the Commission.
- 23. Any member of the Commission who is absent from three (3) consecutive meetings of the Commission, unless such member is so absent with the approval of the Chair, may be replaced with a new member duly appointed by Council.
- 24. Any vacancy caused by death, retirement, or resignation of a member may be filled by resolution of Council.

DECISION

- 25. Only those members of the Commission in attendance at a meeting of the Commission may vote on any matter then before the Commission.
- 26. The decision of the majority of the Commission members present at a meeting duly convened shall be deemed to be the decision of the whole Municipal Planning Commission.
- 27. In the event of a tie vote, the motion shall be considered defeated.
- 28. All Commission members present at a meeting shall vote on every matter placed before the Commission unless the member declares a pecuniary interest in the same manner as required of an elected representative pursuant to Sections 169, 170 and 172 of the *Municipal Government Act*. Any member who declares a pecuniary interest shall not participate in any debate or decision

concerning the matter. Such pecuniary interest shall be recorded in the minutes.

SIGNING AUTHORITY

29. An order, decision, approval, notice or other things made, given or issued by the Commission may be signed on its behalf by its Chair, the Vice-Chair or a member elected to act as Chair, the Development Officer, or a person authorized to sign on its behalf.

SEVERABILITY

30. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

REPEAL

31. Bylaws #1718 and #1817 and any amendments are hereby repealed.

EFFECTIVE DATE

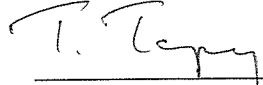
32. This bylaw shall come into force and have effect on the date of third and final reading.

READ a first time this 14 day of November, 20 16.


READ a second time this 14 day of November, 20 16.

READ a third and final time this 14 day of November, 20 16.

SIGNED by the Mayor and Chief Administrative Officer this 14 day of November, 20 16.



Thomas Tarpey
Mayor



Christopher J. Parker
Chief Administrative Officer