



**A BYLAW OF THE TOWN OF HIGH PRAIRIE, IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL PLANNING COMMISSION**

WHEREAS section 626(1) of the *Municipal Government Act*, being Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, provides that a Council may by bylaw establish a municipal planning commission; and

WHEREAS section 626(2) of the *Municipal Government Act* provides that a bylaw establishing a Municipal Planning Commission must prescribe the functions and duties of the Commission; and

WHEREAS the Town of High Prairie has a Municipal Planning Commission; and

WHEREAS the Town of High Prairie deems it desirable to adopt a new Municipal Planning Commission bylaw, to ensure relevancy and clarity of the bylaw;

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

A. TITLE

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

B. PURPOSE

2. The purpose of this Bylaw is to establish a Municipal Planning Commission for the Town of High Prairie.

C. DEFINITIONS

3. In this Bylaw:
 - (a) "Act" means the *Municipal Government Act*, being RSA 2000 Chapter M-26, as amended from time to time;
 - (b) "Secretary" means the person acting as Secretary of the Municipal Planning Commission, in accordance with this Bylaw;



- (c) "Commission" means the Municipal Planning Commission for the Town of High Prairie established pursuant to this Bylaw;
- (d) "Council" means the duly elected Council of the Town of High Prairie;
- (e) "Development Officer" means the Chief Administrative Officer as appointed by resolution of Council to exercise development powers and duties on behalf of the Town of High Prairie.
- (f) "Development Clerk" means the person occupying the position of Development Clerk at the Town of High Prairie.
- (g) "Land Use Bylaw" means the Town of High Prairie Land Use Bylaw, as established in accordance with the Act.
- (h) "Member at Large" means a person appointed by Council as a member of the Municipal Planning Commission, who is not a Councillor or a Town employee.
- (i) "Town" means the corporation of the Town of High Prairie.

D. ESTABLISHMENT

- 4. The Municipal Planning Commission for the Town of High Prairie is hereby established.

E. MEMBERSHIP

- 5. The Municipal Planning Commission shall comprise of a maximum of five (5) members appointed by resolution of Council and consisting of:
 - (a) two (2) members of Council; and
 - (b) three (3) members at large.
- 6. A member of the Municipal Planning Commission shall not be:



- (a) a person who carries out development or subdivision powers, duties and functions on behalf of the Town of High Prairie, or
- (b) a member of the Subdivision and Development Appeal Board.

F. APPOINTMENT AND CONDITIONS

- 7. Appointment of members to the Commission shall be done at the annual organizational meeting of Council, or as needed, to provide for membership of the Commission.
- 8. Appointment to the Commission shall be for a one (1) year term.
- 9. Council may renew the appointment of members.
- 10. Council may withdraw the appointment of Commission members.
- 11. A member of the Commission may resign from the Commission at anytime by giving written notice to the Secretary.
- 12. Any member of the Commission who is absent from three (3) consecutive meetings of the Commission without approval from the Commission shall be deemed to have resigned and replaced with a new member duly appointed by Council;
- 13. Vacancies on the Commission shall be filled by Council appointment within sixty (60) calendar days of the vacancy being reported.
- 14. Members of the Commission shall be entitled to such remuneration, travelling and living expenses, as may be set by Council from time to time.

G. CHAIRS OF THE COMMISSION

- 15. The Commission shall appoint one (1) member to hold the position of Chair and one (1) member to hold the position of Vice-Chair.
- 16. The Chair shall preside over the meetings of the Commission and perform any other duties assigned to the Chair in this

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Bylaw or by the members of Commission within the Commission's authority.

17. The Vice-Chair will assume the duties of the Chair in the event that the Chair is not available.
18. In the absence of both the Chair and the Vice-Chair, the members of the Commission at a meeting constituting a quorum shall appoint one of themselves to act as Chair.
19. The appointment of the Chairs shall continue until the Chairs' terms expire, the Chairs resign, or the Chairs otherwise cease to become members of the Commission, whichever occurs first.
20. The commission may rescind the appointment of the Chairs at any time.

H. POWERS, DUTIES AND FUNCTIONS

21. The Municipal Planning Commission shall:
 - (a) act in an advisory role to Council regarding general land use planning matters within the Town;
 - (b) advise Council and the subdivision approving authority regarding any subdivision proposals within or near the corporate boundaries of the Town of High Prairie; and
 - (c) carry out the powers, duties and functions as a Development Authority, as prescribed for under the terms and conditions of the Town of High Prairie's Land Use Bylaw.

I. CONDUCT OF BUSINESS

22. The Commission shall hold meetings and undertake such actions as are necessary to fulfil its duties and functions.
23. Only those members of the Commission in attendance at a meeting of the Commission shall vote on matters present before the Commission.
24. A decision of the majority of members of the Commission at a meeting duly convened constitutes the decision of the entire Commission.



25. In the event of a tie vote, the motion shall be considered defeated.
26. The Development Officer for the Town of High Prairie shall serve as an advisor to the Commission.
27. Where necessary, the Commission may invite other persons to attend its meeting in an advisory capacity, but such persons shall not vote or take part in the decisions of the Commission.
28. A member of the Committee shall not vote on issues in which they have pecuniary interest, personal bias or conflict of interest, as determined by the appropriate sections of the *Municipal Government Act*.
29. Where a member of the Commission is not entitled to a vote by virtue of section 28, that member shall disclose the general nature of the pecuniary interest prior to consideration of the matter and shall not participate in the discussion, voting or disposition of the matter. The member's abstention shall be recorded.
30. The Commission shall give its decision in writing for planning applications referred to it by the Development Officer. If the Commission refuses a planning application, the decision must include reasons for the refusal.
31. An order, decision, notice, or other things given or issued by the Commission may be signed on its behalf by the Chair or, in the absence of the Chair, the Vice-Chair, acting Chair or a member authorized by Council to sign on behalf of the Commission.

J. QUORUM

32. Three (3) members of the Commission constitute quorum for all meetings and decisions of the Commission.

K. SECRETARY

33. The Development Clerk shall serve as secretary to the Commission.



L. DUTIES AND FUNCTIONS OF THE SECRETARY

34. The Secretary shall:
- (a) attend all meetings of the Commission;
 - (b) provide notification to members of the Commission and advisors regarding arrangements for the holding of regular and special meetings;
 - (c) notify such persons in writing as the Commission may designate matters pertaining to decisions of the Commission and any reasons thereof;
 - (d) take the minutes and other records for all meetings of the Commission, including decisions and reasons thereof, and any other business transacted at the meetings.
 - (e) keep and maintain on file for public inspection the following official records:
 - i. a register of all applications for development permits, including decisions and reasons thereon;
 - ii. records of all evidence presented at a meeting by an advisor or applicant;
 - iii. minutes of all meetings of the Commission, including decisions, reasons and any other transactions.
 - (f) ensure that the Commission is in full compliance with its duties.
 - (g) carry out such other administrative duties as the Commission may specify.

M. SEVERABILITY

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



N. ENACTMENT

36. This Bylaw shall come into force and effect when it receives third and final reading and is duly signed.
37. Bylaw No. 17/2001 and any amendments thereto are hereby repealed.

First Reading given on this 26th day of January, 2021.

Second Reading given on this 26th day of January, 2021.

Given Unanimous Consent to proceed to third and final reading this 26th day of January, 2021

Third and Final Reading given on this 26th day of January, 2021.



Mayor Brian Panasiuk



CAO Rod Risling