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MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 484, 1998

A BY-LAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO AMEND BY-LAW NO. 366, 1995, BEING A BY-LAW TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

The Council of the Municipality of Crowsnest Pass, in the Province of Alberta, hereby enacts as follows:

1. That Section 5 of By-Law No. 366, 1995 be amended by adding the following:

The members at large on the Board shall hold office for up to three (3) years, such terms to commence the first meeting of January of the appropriate year, with one third of terms expiring each year.

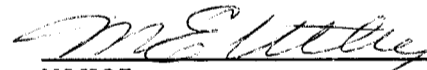
Outgoing Board Members are entitled to reapply at the end of their term.

Received FIRST READING this 6th day of October, 1998.

CARRIED

Received SECOND READING this 6th day of October, 1998.

CARRIED


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Received THIRD READING AND FINALLY PASSED this 1st day of December, 1998.

CARRIED UNANIMOUSLY


MAYOR


CHIEF ADMINISTRATIVE OFFICER

MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 443, 1997

A BY-LAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO AMEND BY-LAW NO. 366, 1995, BEING A BY-LAW TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

The Council of the Municipality of Crowsnest Pass, in the Province of Alberta, hereby enacts as follows:

1. That Section 3 of By-Law No. 366, 1995, be amended to read:

"The Subdivision and Development Appeal Board shall be comprised of not more than Five (5) persons, four (4) of whom shall be appointed by Council from the citizens of the Municipality at large and one (1) elected Councillor of the Municipality."

and

2. That Section 10 be amended to read:

"Three (3) of the members of the Subdivision and Development Appeal Board shall constitute a quorum."

and

3. That Section 11 be deleted.

By-Law No. 369, 1995 is hereby repealed.

Read a first time this 18th day of November, 1997.

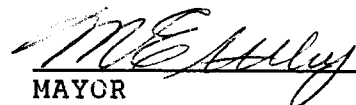
CARRIED

Read a second time this 18th day of November, 1997.

CARRIED

Read a Third time and finally passed this 9th day of December, 1997.

CARRIED


MAYOR


CHIEF ADMINISTRATIVE OFFICER

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MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 366, 1995

1. A BY-LAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

AND WHEREAS, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a By-Law to establish a Municipal Subdivision and Development Appeal Board by December 1, 1995;

AND WHEREAS, the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local Land Use By-law and statutory plans;

AND WHEREAS, this By-Law may be cited as the Municipality of Crowsnest Pass Subdivision and Development Appeal Board By-Law;

NOW THEREFORE, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS

- (a) ACT: means the Municipal Government Act, Chapter M-26.1 as amended from time to time.
- (b) MUNICIPALITY: means the Municipality of Crowsnest Pass in the Province of Alberta.
- (c) COUNCIL: means the Municipal Council of the Municipality of Crowsnest Pass.
- (d) SUBDIVISION and DEVELOPMENT APPEAL BOARD: means the tribunal established to act as the Municipal Appeal body.
- (g) MEMBER: means a member of the Subdivision and Development Appeal Board.
- (h) SECRETARY: means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
- (j) All other terms used in this By-law shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

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- 3. For the purpose of this By-Law, the Subdivision and Development Appeal Board shall be composed of not more than Seven (7) persons who are adult residents of the Municipality of Crowsnest Pass of which two (2) shall be elected officials and five (5) shall be members at large.
- 4. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of Council.
- 5. Appointments to the Subdivision and Development Appeal Board shall be made for a term of Three (3) year(s).
- 6. The members of the Subdivision and Development Appeal Board shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.

7. 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 Municipality of Crowsnest Pass.
8. The Council may, by resolution, appoint a secretary who shall be an employee of the Municipality and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
9. 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 Chairman.
10. Four (4) of the members of the Subdivision and Development Appeal Board shall constitute a quorum, provided 3 members are at large to constitute a hearing.
11. There shall not be a majority of Municipal Councillors sitting to hear any individual appeal.
12. 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.
13. The Subdivision and Development Appeal Board may make its orders decisions, development permits, and approvals; and may issue notices with or without conditions.
14. The Subdivision and Development Appeal Board may make rules to govern its hearings.
15. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
16. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.
17. 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;
 - (c) records of all notices of meetings and of persons to whom they were sent;
 - (d) copies of all written representations to the Subdivision and Development Appeal Board;
 - (e) notes as to each representation;
 - (f) the names and addresses of those making representations at the meetings;
 - (g) the decision of the Subdivision and Development Appeal Board;
 - (h) the reasons for the decision and of the Subdivision and Development Appeal Board;

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17. cont'd

- (i) the vote of the members of the Subdivision and Development Appeal Board 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 Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

18. This By-Law comes into effect November 7, 1995.

19. By-Law No.285, 1995 and amendments thereto will then be repealed.

Read a first time this 3rd day of October, 1995.

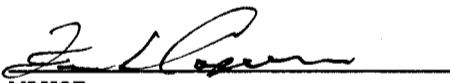
CARRIED

Read a second time this 3rd day of October, 1995

CARRIED

Read a Third time and finally passed this 3rd day of October, 1995.

CARRIED


MAYOR


MUNICIPAL ADMINISTRATOR