

BYLAW NO. 834
OF THE
TOWN OF KILLAM
IN THE PROVINCE OF ALBERTA

**BEING A BYLAW OF THE TOWN OF KILLAM, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH THE TOWN OF KILLAM MUNICIPAL PLANNING COMMISSION.**

WHEREAS pursuant to Section 626 of the *Municipal Government Act*, RSA 2000, c M-26, a municipality may, by bylaw, establish a municipal planning commission;

AND WHEREAS the Council of the Town of Killam considers it desirable and necessary to establish a Municipal Planning Commission to exercise the functions and duties set out in this bylaw and as otherwise delegated by Council;

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

1. Title

1.1. This Bylaw shall be cited as the “Town of Killam Municipal Planning Commission Bylaw”.

2. Definitions

2.1. In this Bylaw:

- a. “Chief Administrative Officer” or “CAO” means the Chief Administrative Officer of the Municipality appointed by Council;
- b. “Council” means the municipal council of the Town of Killam;
- c. “Land Use Bylaw” means the Town of Killam Land Use Bylaw, Bylaw 809 as amended from time to time and any successor bylaw thereto;
- d. “Municipal Government Act” or “MGA” means the *Municipal Government Act*, RSA 2000, c M-26, as amended and any successor legislation thereto;
- e. “Municipal Planning Commission” or “MPC” means the Municipal Planning Commission of the Town of Killam established pursuant to this Bylaw;
- f. “Municipality” means the Town of Killam; and
- g. “Recording Secretary” means the person appointed by council to act as secretary of the Municipal Planning Commission.

2.2. All other terms used in this Bylaw shall have the meaning assigned to them by the MGA, to the extent that said meaning differs from the ordinary meaning of such terms.

3. Establishment and Membership

- 3.1. The Municipal Planning Commission of the Town of Killam, hereinafter called the MPC is hereby established.
- 3.2. The MPC shall consist of all members of Council.

4. Functions and Duties

- 4.1. The MPC is authorized to act as a Development Authority pursuant to Section 624 of the MGA and to consider and decide upon applications for development permits in the manner prescribed in the MGA, the Land Use Bylaw and any other statutory provision of any bylaw or regulation as amended from time to time.
- 4.2. The MPC shall perform any other duties or functions assigned to the MPC by Council.

5. Chairperson

- 5.1. The Deputy Mayor shall be the chairperson of the MPC.
- 5.2. The duties of the Chairperson shall consist of:
 - a. Presiding at the regular and special meetings of the MPC; and
 - b. Direction and control of the operation of the MPC.
- 5.3. In the event of the absence or inability to act of the Chairman at a meeting of the MPC, the members of the MPC present at the meeting shall elect one of the members to act as Chairman for the purposes of the meeting.

6. Meetings and Procedure

- 6.1. For those matters not covered by this Bylaw or the MGA, the MPC may establish rules of procedure necessary for the conduct of its meeting and other business provided such rules are consistent with this Bylaw and the MGA. For any matters not otherwise covered, the MPC may refer to the Procedure Bylaw, Bylaw No. 789 or any successor bylaw thereto.
- 6.2. Meetings of the MPC shall be held at the call of the Chairperson.
- 6.3. Meetings of the MPC shall be held in public.
- 6.4. The MPC may deliberate and make its decisions in private.
- 6.5. Only those members in attendance may vote on a matter before the MPC.

- 6.6. The decision of the majority of the MPC in attendance at a meeting shall be deemed to be the decision of the MPC.
- 6.7. In the event of a tie vote, the decision shall be deemed to be decided in the negative.
- 6.8. Where required by the MGA the MPC shall give its decision in writing together with the reasons for approval or refusal.

7. Quorum

- 7.1. A simple majority of the members of the MPC shall constitute a quorum.

8. Staff

- 8.1. The CAO or their designate may appoint a Recording Secretary to the MPC and may, where appropriate, attend meetings of the MPC in a non-voting, ex officio capacity.
- 8.2. The Recording Secretary shall:
 - a. give notice of MPC meetings in accordance with the directions of the Chairperson and as required by the MGA;
 - b. prepare the MPC Agenda at the direction of the CAO;
 - c. record and distribute minutes of MPC meetings;
 - d. record the decisions of the MPC and the reasons for the decisions;
 - e. assist the Development Officer as necessary to ensure that notices of MPC decisions are given as required by the Land Use Bylaw; and
 - f. undertake and complete such other tasks as the MPC may direct.

READ a first time this 17th of March, 2016.

READ a second time this 17th of March, 2016.

READ a third and final time 17th of March, 2016.

Signed and passed this 18th of March, 2016.

Mayor

Chief Administrative Officer