

CITY OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW #003-18

A Bylaw of the City of Chestermere, in the Province of Alberta, to amend the Subdivision and Development Appeal Board Bylaw (Bylaw 004-16).

WHEREAS Section 627 of the Municipal Government Act, RSA 2000, C. M-26 and amendments thereto requires the establishment of a Subdivision and Development Appeal Board for the City of Chestermere;

AND WHEREAS Section 145 and 628 of the Municipal Government Act requires Council to provide for the procedure and conduct and the functions and duties of a Subdivision and Development Appeal Board established by Council;

AND WHEREAS Section 627.1, 627.2, 627.3 and Subdivision and Development Appeal Board Regulation 195/2017 requires the appointment and education of a Subdivision and Development Appeal Board clerk and education of all board members;

AND WHEREAS Council deems it desirable to amend Bylaw 004-16 in order to meet the membership requirements established by amendments to the Municipal Government Act, 2015-2017;

NOW THEREFORE, The Council of the City of Chestermere, duly assembled, enacts as follows:

Section 4(3) be replaced with the following:

The Subdivision and Development Appeal Board membership shall consist of seven (7) members as follows:

- (a) One Councillor;
- (b) One alternate Councillor and
- (c) Six Citizen Representatives.

The alternate Councillor will serve in the place of a Councillor who is unable to participate in a hearing. The alternate Councillor will be any member of Council who is not part of a Development Authority or a Subdivision Authority.



Section 4(7) is replaced with the following:

Quorum

- (a) Quorum is a majority of Members.
- (b) The Board must not sit in even numbered panels.

Section 4(9) is replaced by the following:

Council authorizes the Chief Administrative Officer to appoint one or more clerks of the Subdivision and Development Appeal Board in accordance with the Act.

Section 4(10) is added with the following:

The Board shall be appointed by a resolution of Council and coincide with Council's annual Organizational Meeting.

Section 6(2) is removed and replaced with the following:

- (a) The subdivision clerk appointed must be a Designated Officer and may be a person who holds an appointment as a clerk under section 456 of the Act.
- (b) The subdivision clerk as a Designated Officer must have successfully completed a training program in accordance with regulations made under section 627.3(a) of the Act and section 2, Training requirements, of SDAB Regulation 195/2017.
- (c) The Designated Officer shall undertake all actions stated under the requirements for Subdivision and Development Appeal Board Hearings contained in the Act.
- (d) The Designated Officer shall provide a written report to clarify, where necessary, the purpose and effect of the Appeal being considered.
- (e) A member of a Subdivision Authority or a Development Authority may not be appointed as a Subdivision and Development Appeal Board clerk.
- (f) Council authorizes the Chief Administrative Officer to report on the number of members appointed to the Board, the number of clerks appointed to the Board, and the training requirements of both, pursuant to the MGA and SDAB Regulation 195/2017.

This Bylaw comes into full force and takes effect on the date of third and final reading.

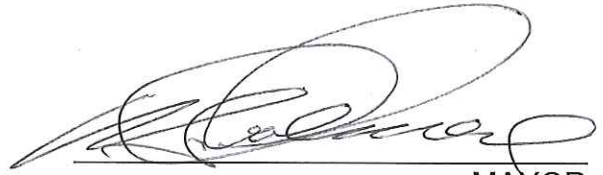


READ A FIRST TIME this 16 day of July 2018

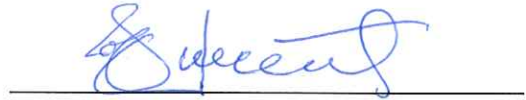
READ A SECOND TIME this 16 day of July 2018

READ A THIRD TIME this 16 day of July 2018

Resolution Numbers – 318-18
319-18
321-18



MAYOR



CAO