

BYLAW NO. 961/DEV/2019

**ESTABLISHMENT OF INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

**BYLAW NO. 961/DEV/2019 BEING A BYLAW OF THE MUNICIPAL DISTRICT OF
FAIRVIEW NO. 136, ALBERTA, FOR THE PURPOSE OF AUTHORIZING THE
MUNICIPALITY TO ENTER INTO AN AGREEMENT TO ESTABLISH AN
INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

WHEREAS, Section 627 of the Act provides that a Council must by bylaw establish a subdivision and development appeal board, or authorize the municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board, or both;

AND WHEREAS, Section 628 of the Act provides that a bylaw or agreement under section 627 of the Act must prescribe the functions and duties of the subdivision and development appeal board;

NOW THEREFORE BE IT RESOLVED that Council hereby authorizes the Municipality to enter into an agreement to establish the Board as follows:

A. TITLE

1. This Bylaw may be referred to as the "Intermunicipal Subdivision and Development Appeal Board Bylaw".

B. DEFINITIONS

2. In this Bylaw:
 - (a) "Act" means the *Municipal Government Act*, RSA 2000, c M-26, and amendments thereto;
 - (b) "Board" means the Peace Regional Intermunicipal Subdivision and Development Appeal Board;
 - (c) "Council" means the council of the Municipal District of Fairview No. 136;
 - (d) "Municipality" means the corporation of the Municipal District of Fairview No. 136.

C. ESTABLISHMENT OF BOARD

3. The Municipality is hereby authorized to enter into an agreement with other municipalities within the area set out on the map attached as Schedule "A" to this Bylaw to establish the Board and provide for the following:
 - (a) the hearing of appeals in accordance with the Act within the boundaries of the municipalities that are parties to the agreement;
 - (b) the powers, duties and functions of the Board and the Clerk, and;
 - (c) the procedure and conduct of the Board and its members and the Clerk.

D. ESTABLISHMENT OF CLERK AS DESIGNATED OFFICER

4. The position of Clerk is hereby established as a designated officer of the Municipality.
5. The Clerk shall have all powers, duties and functions:
 - (a) set out in the Act and regulations thereunder;
 - (b) delegated to the Clerk by bylaw or resolution of Council;

- (c) set out in this Agreement; and
- (d) as designated by the Board from time to time.

E. FEES

6. Appeal fees shall be in accordance with the schedule of fees set out in Schedule "B" to this Bylaw.

F. ENACTMENT

- 7. This Bylaw shall come into effect on August 1, 2019.
- 8. Board Bylaw No. 945/DEV/2018 Development Appeal Board Bylaw and any amendments thereto are hereby repealed.

Read a first time this 25th day of June, 2019.

Peggy Johnson
Peggy Johnson, Reeve

Sandra Fox
Sandra Fox, Chief Administrative Officer

Read a second time this 25th day of June, 2019.

Peggy Johnson
Peggy Johnson, Reeve

Sandra Fox
Sandra Fox, Chief Administrative Officer

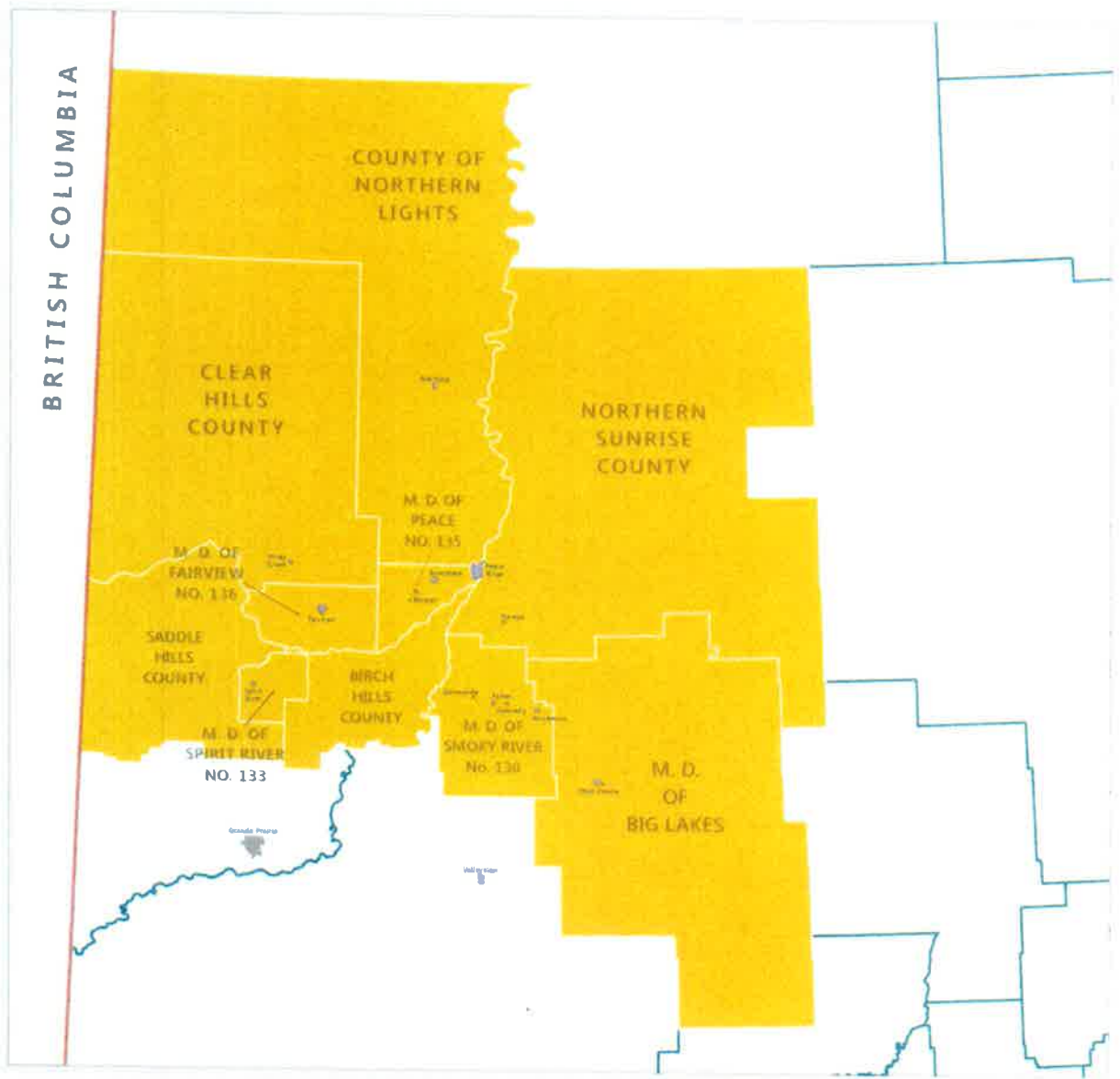
Read a third time this 25th day of June, 2019.

Peggy Johnson
Peggy Johnson, Reeve

Sandra Fox
Sandra Fox, Chief Administrative Officer

SCHEDULE A

(MAP)



SCHEDULE B

SCHEDULE OF FEES

1. Each Municipality shall adopt this Schedule of Fees by bylaw.
2. Table 1: Remuneration for Members attending a Hearing:

	Daily Rate (more than 4 hours)	Daily Rate (4 hours or less)
Member	\$200.00	\$125.00

3. Table 2: Remuneration for a Clerk assigned to a Hearing (this includes pre-hearing and post-hearing functions) (Note: the remuneration is payable to the Municipality that employs the Clerk, unless the Clerk is an employee of the Municipality from which the appeal originated, in which case no remuneration is payable):

	Per Appeal
Clerk	\$750.00

6. Table 3: Fee for filing appeal (payable to Municipality):

Type of Appeal	
Subdivision	\$150.00
Development	\$150.00
Stop Order	\$150.00

7. Table 4: Travel Expense Allowance:

Shall align with Provincial Government Rates as established from time to time.

Current rates (March 2019):

Mileage	Breakfast	Lunch	Dinner
\$0.58/km	\$9.20	\$11.60	\$20.75