

**MUNICIPAL DISTRICT OF PINCHER CREEK NO.9
BYLAW NO. 1286-18**

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO.9 IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL SUBDIVISION AUTHORITY.

WHEREAS the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority;

AND WHEREAS the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the South Saskatchewan Regional Plan, the *Municipal Government Act*, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS the purpose of this bylaw is to establish the authority of the Subdivision Authority.

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw may be cited as the MD of Pincher Creek No. 9 “Subdivision Authority Bylaw”.
2. Definitions:
 - a. **Act** means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
 - b. **Council** means the Council of the Municipal District of Pincher Creek No.9.
 - c. **Member** means a member of the Subdivision Authority.
 - d. **Municipality** means the Municipal District of Pincher Creek No.9 in the Province of Alberta.
 - e. **Planning Advisor** means an agency or individual who provides planning services on a contract basis.
 - f. **Secretary** means the person or persons authorized to act as secretary for the Subdivision Authority.
 - g. **Subdivision Authority** means the board, person or organization established to act as the Subdivision Authority.
 - h. All other terms used in this bylaw shall have the meaning as is assigned to them in the Act, as amended from time to time.
3. For the purpose of this bylaw, the Subdivision Authority for the Municipal District of Pincher Creek No.9 shall be the Council of the Municipal District of Pincher Creek No. 9.
4. The Subdivision Authority shall hold meetings as required on dates to be determined by Council, and it may also hold special meetings at any time at the call of the chairman.
5. Three (3) of the members of the Subdivision Authority shall constitute a quorum.
6. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision Authority.
7. The Subdivision Authority may make its orders, decisions, and subdivision approvals; and may issue notices with or without conditions.
8. The Subdivision Authority may make rules to govern its hearings.

9. The Subdivision Authority, when considering an application for subdivision approval, is not required to hold a hearing.
10. Members of the Subdivision Authority shall not be members of the Subdivision and Development Appeal Board.
11. The secretary of the Subdivision Authority shall ensure the following records are kept:
 - a. the minutes of all meetings;
 - b. the vote of the members of the Subdivision Authority on the decision;
 - c. such other matters as the Subdivision Authority may direct.
12. The planning advisor for the Subdivision Authority shall carry out the following powers, duties and functions:
 - a. providing of advice to applicants for subdivision approval;
 - b. processing of applications for subdivision including the following:
 - 1) the collecting of all pertinent subdivision approval fees;
 - 2) determining if the application is complete;
 - 3) the processing of notification of applicants, pertinent agencies, government departments and adjacent land owners;
 - 4) the compilation and documentation of all pertinent comments of those persons and local authorities to which the notice of application was given;
 - 5) the preparation of draft resolutions for consideration by the Subdivision Authority;
 - 6) the conveyance of notification of final subdivision approval to the registered owner and/or the authorized Agent and all notified agencies, government departments and adjacent land owners;
 - c. the appearance at meetings of the Subdivision Authority;
 - d. conducting site inspection (where feasible to do so) at the location of the proposed application for subdivision approval;
 - e. the finalization and required endorsement of plans of surveyor other instruments for registration purposes at Land Titles Office;
 - f. the maintenance of a control registry and corresponding archival information relating to the application for subdivision approval on behalf of the municipality;
 - g. records of all application, notices of meetings and of persons to whom they were sent, written representations, the decision with reasons;
 - h. all notices, decisions, and orders made on appeal from the decision of the Subdivision Authority;
 - i. such other matters as provided in the planning advisors contract.
13. This bylaw comes into effect upon third and final reading thereof.
14. Bylaw No. 1031-99 is hereby repealed.

READ a first time this 27th day of March, 2018.

READ a second time this 27th day of March, 2018.

READ a third time and finally PASSED this 10th day of April, 2018.


Reeve


Chief Administrative Officer