

**TOWN OF OLDS
BYLAW NO. 2019-23**

**BEING A BYLAW OF THE TOWN OF OLDS ESTABLISHING A
MUNICIPAL PLANNING COMMISSION**

WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 provides that a municipal council may establish a Municipal Planning Commission by bylaw;

NOW THEREFORE the Council of the Town of Olds, duly assembled, enacts as follows:

1.0 **Title**

1.1 This Bylaw shall be known as the "Municipal Planning Commission Bylaw".

2.0 **Definitions**

2.1 In this Bylaw:

- a) "Act" means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26;
- b) "CAO" means the Chief Administrative Officer or designate;
- c) "Commission" means the Municipal Planning Commission established under paragraph 3.1;
- d) "Commission Recorder" means the person appointed to the position established under paragraph 8.2;
- e) "Council" means the Municipal Council of the Town of Olds;
- f) "Development Officer" means one of the persons appointed to the position of Development Officer pursuant to the current Town of Olds Land Use Bylaw;
- g) "Development Permit" means a document that is issued under the Land Use Bylaw that authorizes a development;
- h) "Director of Operations" means a municipal official in the responsible role of Director of Operations of the Town of Olds or designate;
- i) "Land Use Bylaw" means the Town of Olds Land Use Bylaw #04-23, as amended or replaced from time to time;
- j) "Member" means a Member of the Commission appointed by Council;



k) "Secretary to the Commission" means the person appointed to the position established under paragraph 7.2.

l) "Town" means the Municipal Corporation of the Town of Olds.

2.2 Terms not specifically defined have the same definition as provided in the Act.

3.0 Establishment and Membership

3.1 The Municipal Planning Commission for the Town is hereby established.

3.2 The Commission is a Development Authority for the Town in accordance with the Act, the Land Use Bylaw and the Town's Development Authority Bylaw.

3.3 The Commission shall consist of seven (7) Members, including:

- a) at least two (2) Members of Council; and
- b) the remaining positions shall be Members of the public-at-large who reside in the Town.

3.4 Council appointees to the MPC shall have an alternate who may attend in their place and enjoy the same voting privileges as the Member(s) they are sitting in for.

3.5 The Town's Mayor is not an ex officio Member of the Commission.

3.6 No Member of the Commission shall:

- a) be employed as a Development Officer with the Town; or
- b) sit as a Member of the Regional Subdivision and Development Appeal Board.

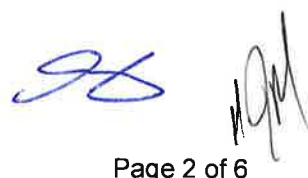
3.7 To be eligible for appointment applicants must be, at the time of appointment, a resident within the Town of Olds municipal limits.

4.0 Terms of Office

4.1 Council will appoint Members of Council to the Commission, by resolution at the Council Organizational Meeting held the fourth Monday of October each year, for a term of one (1) year and may be reappointed upon the expiry of the term at the discretion of Council.

4.2 Council will appoint public-at-large Members to the Commission, by resolution, for a term to be specified by Council.

4.3 Where a Member of Council is appointed as a Member, their appointment shall terminate upon them ceasing to be a Member of Council.



5.0 Chairperson

5.1 At the first meeting of the Commission following the appointment of Members each year, a Chairperson shall be elected by vote of the majority of the Members for a one (1) year term.

5.2 It is preferred that a public Member of the Commission be appointed as Chairperson.

5.2 A Member may be re-elected to the position of Chairperson.

5.3 The Chairperson shall preside over all Commission meetings.

6.0 Vice-Chairperson

6.1 The Vice-Chairperson shall be elected at the same time and under the same rules as the Chairperson.

6.2 It is preferred that a public Member of the Commission be appointed as Vice-Chairperson.

6.3 The Vice-Chairperson may be re-elected to the position of Vice-Chairperson

6.4 The Vice-Chairperson will preside over any Commission meeting in the absence of the Chairperson.

7.0 Secretary to the Commission

7.1 The position of designated officer for the limited purpose of carrying out the function of the Secretary to the Commission is hereby established.

7.2 The Chief Administrative Officer of the Town or their designate OR the Director of Operations or their designate, shall be the Secretary to the Commission and will:



- a) attend all meetings of the Commission;
- b) prepare the Commission decisions;
- c) issue all duly signed Commission decisions;
- d) carry out such other administrative functions and duties as may be assigned by the Commission.

8.0 Commission Recorder

8.1 The position of designated officer for the limited purpose of carrying out the function of the Commission Recorder is hereby established.

8.2 The Commission Recorder shall be appointed by resolution of Council and shall not be a Member of the Commission.

8.3 The Commission Recorder will:



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- a) prepare and distribute the Agenda electronically to the Commission and the Public (via the Town's website) prior to the meeting, no later than 12:00 (noon), no less than three (3) days before the date on which the meeting is scheduled;
- b) maintain orientation materials for new Members;
- c) notify all Members of all Commission meetings;
- d) attend all meetings of the Commission; and
- e) record the minutes of the meetings; and
- f) prepare and maintain adhering to the Procedural Bylaw and the Agendas and Minutes Policy a file of Commission meeting minutes.

9.0 Quorum and Meetings

- 9.1 A quorum of the Commission is four (4) Members.
- 9.2 The Commission will meet at regular intervals to carry out its functions and duties in accordance with the Act and the Land Use Bylaw.
- 9.3 The Chairperson or, in their absence, the Vice-Chairperson may call a special meeting of the Commission.
- 9.4 At a meeting where both the Chairperson and the Vice-Chairperson are absent, the Members will elect one Member to act as Chairperson at that meeting.
- 9.5 Only those Members present at a meeting of the Commission shall have a vote on any matters before it.
- 9.6 Any Member who is unable to attend the whole of the presentation of any matter at any Commission meeting, shall not participate in the deliberations or the decision made by the Commission.
- 9.7 All Members present shall vote on every matter placed before the Commission unless a Member has a pecuniary interest or is otherwise required by the Act or this Bylaw to abstain.
- 9.8 Any Member who has a pecuniary interest, whether direct or indirect, with respect to any matter before the Commission, shall declare their interest, shall abstain from discussion and voting on the matter, and will have their interest and abstention recorded in the minutes of the proceedings and will leave the room until the matter has been dealt with.
- 9.9 The majority vote of the Members present at a duly constituted meeting shall be the decision of the Commission.
- 9.10 In the event of a tie vote, the decision shall be deemed to be decided in the negative.

- 9.11 The Commission may deliberate and make its decisions in meetings closed to the public.
- 9.12 The Commission shall conduct its meetings in accordance with the Act and, unless otherwise specified within this Bylaw, the Town's Procedural Bylaw, as amended or replaced from time to time.
- 9.13 Where the Commission has approved a Development Permit application, the Secretary of the Commission or designate is responsible to prepare and issue the Development Permit forthwith.
- 9.14 An order, decision, approval, notice, Development Permit or other thing made, given or issued by the Commission is not final until notification of the decision is signed in accordance with paragraph 7.2(c) and issued in writing.

10.0 Termination or Resignation of Appointment

- 10.1 At any time, by resolution, Council may terminate the appointment of any Member of the Commission who:
- a) Misses three (3) consecutive regular meetings or any three (3) out of five (5) meetings of the Commission unless the absence is caused by illness or is authorized by resolution of the Commission;
 - b) Uses information gained through their position as a Member to gain a pecuniary benefit; or
 - c) Conducts themselves in a manner that Council considers to be inappropriate;
- or for any other reason that Council deems appropriate.

10.2 Any public-at-large Member may resign from the Commission at any time by sending written notice to the Secretary of the Commission or designate and such resignation shall take effect on the date therein stated, or where no date is stated, then upon the date when the resignation was received by the Secretary of the Commission or designate.

10.3 In the event a vacancy occurs on the Commission, Council will appoint a new Member to serve the remainder of the existing term.

11.0 Fees and Expenses

- 11.1 Members of Council appointed to the Commission may be entitled to remuneration, travel and other expenses in accordance with Council Policy 106C Remuneration and Benefits.
- 11.2 Public-at-large Members may, at the discretion of Council, be entitled to remuneration, travel and other expenses.

12.0 Responsibilities

- 12.1 All newly appointed Members shall participate in MPC orientation; existing Members may attend the MPC orientation at their discretion.
- 12.2 The Commission is authorized to exercise those development powers and duties assigned to it by the Land Use Bylaw, in accordance with the Act.
- 12.3 At the request of Council, the Commission may advise and assist Council to achieve orderly, economical and beneficial development, use of land and patterns of human settlement and to maintain and improve the quality of the physical environment within which the patterns of settlement are situated in the Town.
- 12.4 The Commission will carry out other functions and duties as may be assigned by Council from time to time.
- 12.5 The Commission may make procedural rules as are necessary for the conduct of its business that are consistent with this Bylaw, other Town bylaws, and the Act.

13.0 Effective Date and Repeals

- 13.1 Municipal Planning Commission Bylaw 2012-06 and all amendments thereto are repealed.
- 13.2 This Bylaw shall come into force and effect when it receives third reading and is duly signed.

Read for a first time this 9th day of December, 2019.

Read for a second time this 9th day of December, 2019.

Received Unanimous Consent for presentation of third reading this 9th day of December, 2019.

Read for a third and final time this 9th day of December, 2019.



Michael Muzychka, Mayor



Michael Merritt, Chief Administrative Officer

SIGNED by the Chief Elected Official and Chief Administrative Officer this ____ day of December, 2019.