

**BYLAW 864/16**  
**INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
of the  
**TOWN OF BASSANO**  
in the Province of Alberta

A BYLAW OF THE TOWN OF BASSANO IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD;

**AND 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 and Development Appeal Board;

**AND WHEREAS** the Council of the Town of Bassano wishes to join other area municipalities to establish an Intermunicipal Subdivision and Development Appeal Board;

**AND WHEREAS** an Intermunicipal Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of a subdivision authority or a development authority in accordance with provincial land use policies, the Subdivision and Development Regulation, the local land use bylaw and statutory plans;

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

1. This bylaw may be cited as the Town of Bassano, Village of Duchess and Village of Rosemary Intermunicipal Subdivision and Development Appeal Board Bylaw.
2. The Town of Bassano is authorized to enter an agreement with:  
the Village of Rosemary and  
the Village of Duchess  
to establish the Intermunicipal Subdivision and Development Appeal Board.
3. **DEFINITIONS:**
  - (a) **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended from time to time.
  - (b) **Clerk** means the person or persons authorized to act as clerk for the Intermunicipal Subdivision and Development Appeal Board by the Member municipality within which the appeal is held.
  - (c) **Member municipality** means the municipality in the Province of Alberta who has entered the agreement referred to in section 2.
  - (d) **Town of Bassano Council** means the Council of the Town of Bassano.

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- (e) **Intermunicipal Subdivision and Development Appeal Board** means the board established by agreement to act as the municipal appeal board.
- (f) **Member** means a member of the Intermunicipal Subdivision and Development Appeal Board appointed in accordance with this bylaw.
- (g) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**
4. For the purpose of this bylaw, the Intermunicipal Subdivision and Development Appeal Board shall be composed of not more than six (6) persons who are appointed by the Councils who are Members.
  5. Appointments to the Intermunicipal Subdivision and Development Appeal Board shall be made by resolution of the Council of the Member municipality and shall consist of either two Members of Council or one Member of Council and one Member at large that are not serving on the Municipal Planning Commission/Subdivision & Development Authority.
  6. A regular sitting of the Intermunicipal Subdivision and Development Appeal Board will consist of the two appointed Members from the municipality in which the appeal is held and up to four members from the other Member municipalities.
  7. Should a regular sitting not be able to be held, three Members of the Intermunicipal Subdivision and Development Appeal Board constitute a quorum, but in accordance with section 627(3)(b) of the Act, Council Members from a single municipality may not form the majority of the Board when hearing an appeal.
  8. Appointments to the Intermunicipal Subdivision and Development Appeal Board shall be made by each Council when a vacancy occurs.
  9. The Members of the Intermunicipal Subdivision and Development Appeal Board shall elect one of themselves as chair for the purpose of each hearing. The chair may be a Member from the municipality in which the appeal is located.
  10. Each member of the Intermunicipal Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by the Councils; and the remunerations, travelling and living expenses shall be paid by the municipality in which the appeal is located, in accordance with Schedule A, attached to but not forming a part of this bylaw.



11. The Council in the municipality in which the appeal is located may, by resolution, appoint a Clerk who may be an employee of the municipality and shall attend all meetings of the Intermunicipal Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Intermunicipal Subdivision and Development Appeal Board.
12. The Intermunicipal Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Intermunicipal Subdivision and Development Appeal Board.
13. The decision of the majority of the Members present at a meeting shall be deemed to be the decision of the whole Intermunicipal Subdivision and Development Appeal Board.
14. The Intermunicipal Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
15. The Intermunicipal Subdivision and Development Appeal Board may make rules to govern its hearings.
16. When a person ceases to be a member of the Intermunicipal Subdivision and Development Appeal Board before the expiration of his/her term the applicable Council may, by resolution, appoint another person for the unexpired portion of that term.
17. The Clerk of the Intermunicipal Subdivision and Development Appeal Board shall attend all meetings of the Intermunicipal Subdivision and Development Appeal Board and shall keep the following records of appeals related to their municipality with respect to:
  - (a) the minutes of all meetings;
  - (b) records of all notices of meetings and of persons to whom they were sent;
  - (c) copies of all written representations to the Intermunicipal Subdivision and Development Appeal Board;
  - (d) notes as to each representation;
  - (e) the names and addresses of those making representations at the meeting;
  - (f) the decision of the Intermunicipal Subdivision and Development Appeal Board;
  - (g) the reasons for the decision of the Intermunicipal Subdivision and Development Appeal Board on the decision;

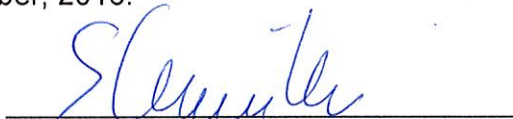
- (h) the vote of the members of the Intermunicipal Subdivision and Development Appeal Board on the decision;
- (i) records of all notices of decision and of persons to whom they were sent;
- (j) all notices, decisions and orders made on appeal from the decision of the Intermunicipal Subdivision and Development Appeal Board;
- (k) such other matters as the Intermunicipal Subdivision and Development Appeal Board may direct.

18. That Bylaw No. 840/12 is hereby rescinded.

19. This Bylaw comes into effect upon third and final reading thereof.

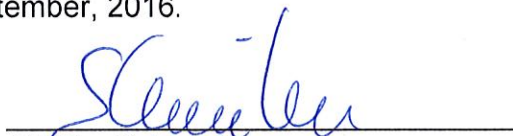
READ a **first** time this 26<sup>th</sup> day of September, 2016.

  
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**Mayor** – Tom Rose

  
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**CAO** – Sabine Nasse

READ a **second** time this 26<sup>th</sup> day of September, 2016.

  
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**Mayor** – Tom Rose

  
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**CAO** – Sabine Nasse

READ a **third** time and finally PASSED this 26<sup>th</sup> day of September, 2016.

  
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**Mayor** – Tom Rose

  
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**CAO** – Sabine Nasse