

**Town of Swan Hills  
By-Law No. 2010-02**

**BEING A BY-LAW OF THE TOWN OF SWAN HILLS, IN THE PROVINCE OF ALBERTA, TO  
ESTABLISH A MUNICIPAL PLANNING COMMISSION TO DECIDE UPON SUBDIVISION AND  
DEVELOPMENT PERMIT APPLICATIONS**

WHEREAS, Section 626 of the Municipal Government Act, permits each municipality to establish a Municipal Planning Commission;

AND WHEREAS, Section 623 and 624 of the Municipal Government Act, allow a Municipal Planning Commission to serve as Subdivision and Development authority;

NOW THEREFORE the Council of the Town of Swan Hills in the Province of Alberta duly assembled hereby enacts as follows:

THAT the Municipal Planning Commission (MPC) is hereby established.

THAT the MPC shall consist of a minimum of six (6) members, three (3) **being Councilors**, and a **minimum of three (3) members of the public**, the **Chief Administrative Officer and the Development Officer** as appointed by the Chief Administrative Officer. The members of the public shall be appointed by resolution of the Council. A person may be reappointed on the expiry of each one-year term, provided the person is otherwise eligible.

THAT no member of Council nor any employee of the Town, except as specifically allowed shall be eligible to be a member of MPC.

THAT a member of the MPC is not disqualified from participating in a decision of MPC by reason only of his being of the Government of Canada, or an agency thereof.

THAT if at any time, through resignation, death or otherwise, a vacancy occurs on the MPC, the Council shall appoint a person to fill that vacancy. When appointing a person to fill the vacancy, the Council shall be bound by the restrictions placed upon the original appointment.

THAT a member of the public will be elected as the chairperson and another member of the public as recording secretary by the MPC by vote. In the absence of the chairperson, the recording secretary shall act as chairperson. In the absence of both, the MPC shall elect an acting chairperson for that meeting.

THAT the MPC will meet at the call of the Chairperson. The regular meeting of the Commission shall be the third Thursday of the month.

THAT a quorum will constitute a quorum.

THAT notwithstanding any vacancy or abstention on the MPC, the remaining members may exercise and perform the duties of the MPC, provided the quorum is maintained.

THAT all available information pertaining to a Development Permit will be forwarded by email, fax or prepared for pickup to all members of MPC within five (5) working days of a completed application for a Development Permit.

THE MPC SHALL:

1. Decide upon development permit applications under **all Permitted and Discretionary** uses in the Land Use By-Law.

2. **Respond within two (2) weeks** to the Applicants with a decision or course of necessary action including target date of pending decision.
3. Decide upon all applications for subdivision authority.
4. Make recommendations to the Council in respect of applications to amend this By-Law.
5. Provide an opinion to the Chief Administration Officer or Development Officer when needed.
6. Perform such other duties as described or implied in this By-Law or as may be assigned to it by Council.

The MPC is not required to hear any representations with respect to any matter over which it makes a decision or recommendation.

The MPC shall deliberate and reach its decision in private. In arriving at its decision, the majority vote of those members present shall constitute the decision of the MPC. **If the vote results in a tie, the motion is defeated.**

By-Law 2009-14 is hereby rescinded in its entirety.

READ A FIRST time this 24<sup>th</sup> day of February, A.D. 2010

READ A SECOND time this 24<sup>th</sup> day of February, A.D. 2010

READ A THIRD time this 24<sup>th</sup> day of February, A.D. 2010

And finally passed in Open Council

  
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Mayor

  
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Chief Administrative Officer