

CITY OF COLD LAKE
BYLAW #309-BD-07 - Unofficial Consolidation

Please note: in a bylaw that is "Unofficially Consolidated", the original approved bylaw is updated to include all of the approved amendments to that bylaw.

A BYLAW OF THE CITY OF COLD LAKE IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE COLD LAKE MUNICIPAL PLANNING COMMISSION.

PURSUANT to Section 626 of the Municipal Government Act, S.A., 1994, c.M-26.1;

NOW THEREFORE, the Council of Cold Lake in the Province of Alberta, in Council duly assembled, hereby enacts as follows:

TITLE

1. This ByLaw shall be cited as the "Cold Lake Municipal Planning Commission ByLaw".

DEFINITIONS

2. In this ByLaw:
 - (a) "CAO" means the Chief Administrative Officer of Cold Lake;
 - (b) "Commission" means the Cold Lake Municipal Planning Commission as provided for in this ByLaw;
 - (c) "Council" means the Mayor and Members of Council of Cold Lake;
 - (d) "Member of Council" means an elected member of the Council of Cold Lake;
 - (e) "Municipal Government Act" means the Municipal Government Act, S.A. 1994 c.M-26.1 as amended from time to time;
 - (f) "Organizational Meeting of Council" means the annual organizational meeting of Council as set out in the Cold Lake Procedural ByLaw;
 - (g) "Recording Secretary" means a person appointed to the position of recording secretary of the Commission pursuant to this ByLaw;
 - (h) "Simple Majority" means more than 50% of the votes or persons;
 - (i) "Staff Advisor" means a person appointed to the position of staff advisor of the Commission pursuant to this ByLaw; and
 - (j) "Vacancy" means the absence of a member Council that is unable to continue for fulfil his or her obligation as a member of Council in accordance with the provisions of the Municipal Government Act.

ESTABLISHMENT

3. A Commission to be known as the Cold Lake Municipal Planning Commission is hereby established for Cold Lake.

MEMBERSHIP

4. The Commission shall consist of the Council of the City of Cold Lake.
5. Any Vacancy shall be filled in accordance with the provisions of the Municipal Government Act governing Council vacancy.

TERM OF OFFICE

6. The term of office for Commission members shall be the term of office of Council as set out in the Municipal Government Act.

CHAIRPERSON AND VICE-CHAIRPERSON

7. The Mayor shall be chairperson of the Commission. In the absence of the Mayor, the Acting Mayor shall be chairperson.
8. The duties of the chairperson shall consist of:
 - (a) presiding at the regular and special meetings of the Commission;
 - (b) direction and control of the operation of the Commission;
 - (c) direct consultation with the CAO; and
 - (d) reviewing all information and material for inclusion in an agenda for all regular and special meetings of the Commission with the recording secretary at least five (5) days prior to the meeting for which the agenda is prepared.
9. The duties of the vice-chairperson shall consist of:
 - a. fulfilling the duties of the chairperson in his or her absence; and
 - b. acting as the spokesperson for the activities of the Commission.
10. Where the chairperson and vice-chairperson are both absent from a meeting of the Commission, one of the other members of the Commission shall be elected by a simple majority of members present to preside over that meeting.

ROLE OF STAFF

11. The Chief Administrative Officer may appoint a staff advisor and/or recording secretary to the Commission and may, where appropriate, attend meetings of the Commission in a non-voting, ex-officio capacity.
12. The role of the Chief Administrative Officer or staff member appointed hereunder would be that of an advisor to the Commission in respect of those matters within the jurisdiction of the Commission.
13. The duties of the recording secretary, or the staff advisor where a recording secretary is not appointed, shall consist of:
 - (a) attendance at all regular and special meetings of the Commission;
 - (b) attendance at all regular or special meetings of any sub-committees of the Commission as required by the Commission;
 - (c) to record and distribute minutes of such meetings in accordance with the provisions of this ByLaw or as directed by the Commission;
 - (d) to prepare and provide an agenda to members of the Commission at least two (2) clear working days prior to the meeting for which the agenda is prepared; and
 - (e) to perform all other duties as may be assigned by the Commission from time to time.

MEETINGS

Regular and Special Meetings

14. Meetings of the Planning Commission shall be held at the call of the Chair. The meetings shall take place and shall commence at a date and time convenient to the public and the Commission. Meetings of the Commission shall be held in the Council Chambers.

Amended February 22 2008, Bylaw #316-BD-08

15. Special meetings may be called on twenty-four (24) hours' notice by the chairperson or at the request of a simple majority of the members of the Commission. The Commission may, by unanimous consent, waive notice of a special meeting at any time if every member of the Commission is present and has signed a waiver of notice of special meeting.

Minutes

16. A minute book shall be kept and the minutes of all regular and special meetings shall be recorded therein by the recording secretary. Copies of all minutes shall be filed with the office of the Chief Administrative Officer within 10 days of the meeting at which such minutes were recorded and circulated to all members prior to the next regular meeting.

Report

17. The staff advisor, in conjunction with the chairperson, shall prepare an annual report on the activities of the Commission.

Quorum

18. A quorum for regular and special meetings of the Commission shall be the same majority required for meetings of City Council.
19. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole Commission.
20. Only those Commission members present at a Commission meeting shall vote on any matter before the Commission, and in the event of a tie, the motion shall be lost.

Rules of Procedure

21. The Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with this ByLaw, the Cold Lake Procedural Bylaw and the Municipal Government Act.

SUB-COMMITTEES

22. The Commission may appoint sub-committees to deal with any special phase of the matters coming within the scope of the jurisdiction of the Commission. Upon the filing of a final report by a sub-committee on its activities, the sub-committee shall be dissolved.

DUTIES OF THE COMMISSION

Development Authority

23. The Commission is hereby authorized to act as a Development Authority pursuant to Section 624 of the Municipal Government Act, and to receive, consider and decide upon applications for development permits in the manner prescribed in the Municipal Government Act, City of Cold Lake Land Use ByLaw, any other statutory provision or any ByLaw or Regulation, as amended from time to time.

Subdivision Authority

24. The Commission is hereby authorized to act as the Subdivision Authority pursuant to Section 623 of the *Municipal Government Act*, and to receive, consider and decide upon applications for subdivision approval in the manner prescribed in the *Municipal Government Act*, the City of Cold Lake Land Use Bylaw, any other statutory provision or any Bylaw or Regulation, as amended from time to time on subdivisions requiring a Type 1 Development Agreement Phased.

The Chief Administrative Officer or designate is hereby authorized to act as the Subdivision Authority pursuant to Section 623 of the *Municipal Government Act*, and to receive, consider and decide upon applications for subdivision approval in the manner prescribed in the *Municipal Government Act*, the City of Cold Lake Land Use Bylaw, any

other statutory provision or any Bylaw or Regulation, as amended from time to time on subdivisions requiring a Type 1 Development Agreement.

Amended July 13 2010, Bylaw #384-BD-10

General Duties

25. In addition to any duties and responsibilities of the Commission set out in this ByLaw or as prescribed by the Municipal Government Act, the duties and responsibilities of the Commission shall be determined by resolution of Council.
26. The Commission may advise Council with respect to the making of policies as the Commission deems necessary from time to time, provided such policies are not inconsistent with the powers herein conferred.
27. Council shall review this ByLaw annually and make any changes deemed necessary.

REPEAL

28. ByLaw No. 273-BD-06 of the City of Cold Lake is hereby repealed upon this ByLaw coming into effect.

ENACTMENT

29. This ByLaw shall come into full force and effect immediately upon the date of its final passage.

FIRST READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this 13th day of November, A.D. 2007, on motion by Councillor Rodden.

CARRIED

SECOND READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this 13th day of November, A.D. 2007, on motion by Councillor Rodden.

CARRIED

CONSENT TO THIRD AND FINAL READING granted on motion by Councillor Rodden.

CARRIED

THIRD AND FINAL READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 27th day of November, A.D. 2007, on motion by Councillor Rodden.

CARRIED

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICER