

**A BY-LAW OF THE MUNICIPALITY OF THE TOWN OF HIGH PRAIRIE,
IN THE PROVINCE OF ALBERTA, TO ESTABLISH A SUBDIVISION AUTHORITY AND A
SUBDIVISION AND DEVELOPMENT APPEAL BOARD AND TO PROVIDE FOR THE
ADMINISTRATION OF SAME.**

WHEREAS: The Municipal Government Act, being Chapter M-26.1 of the Statutes of Alberta, 2000 and amendments thereto, provides that a Municipality shall by bylaw establish a Subdivision Authority, a Development Authority and a Subdivision and Development Appeal Board.

NOW THEREFORE: BY VIRTUE OF THE AUTHORITY CONFERRED UPON IT BY THE MUNICIPAL GOVERNMENT ACT ("THE ACT"), THE COUNCIL OF THE TOWN OF HIGH PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. ESTABLISHMENT OF A SUBDIVISION AUTHORITY

Pursuant to Section 623 of the Act, Town Councillors who are not appointed to the Subdivision and Development Appeal Board shall form the subdivision authority to exercise subdivision powers and duties on behalf of the Town of High Prairie

2. ESTABLISHMENT OF A DEVELOPMENT AUTHORITY

Pursuant to Section 624 of the Act the Authority to exercise development powers and duties under the Land Use Bylaw is vested in the Development Officer appointed under Section C of Land Use Bylaw 12/01.

3. ESTABLISHMENT OF A SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Pursuant to Section 627 of the Act, the Subdivision and Development Appeal Board is hereby established.

4. PURPOSE OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The purpose of the Board is:

- a) To hear appeals against decision of the Subdivision Authority that do not fall under the criteria of Section 678(2) of the Act and;
- b) To hear and decide upon appeals from decisions of the Development Officer and/or the Municipal Planning Commission in respects to Development Permits and Stop Orders and to perform any other duties assigned to the Subdivision and Development Appeal Board under the Town of High Prairie Land Use Bylaw.

5. COMPOSITION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- a) The Board shall consist of:
 - i) Two members of Council and;
 - ii) Three members of the general public who shall be appointed by resolution of Council.
 - iii) Pursuant to Section 627 (3)(a) of the Act, Councillors may not form the majority of the board or the majority of the board or a committee hearing an appeal.
- b) A vacancy on the Board, may be filled by Resolution of Council, at any time.

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6. METHOD OF DECISION MAKING OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

The Board shall reserve the right to discuss matters presented at the appeal, in accordance with Section 687 MGA, and take decisions in Committee within fifteen (15) days of the completion of the hearing.

7. FILING AND PROCESSING OF APPEALS

The procedure for filing and processing appeals is set out in sections 678 to 686 of the Act.

8. ESTABLISHMENT OF FEE SCHEDULES

Council may, by resolution or bylaw, establish fees for subdivision and development appeals, which shall be sufficient to cover the cost of advertising, administration and other expenses.

9. EFFECTIVE DATE

This bylaw shall come into effect upon the date of final reading and signing thereof.

10. REPEAL

This bylaw repeals bylaw 16/01.

READ a first time this 9th day of November 2005.

READ a second time this 9th day of November 2005.

UNANIMOUS CONSENT for third reading given this 9th day of November 2005.

READ a third time and finally passed this 9th day of November 2005.

Mayor Brodrick

G.M. Blaikie, Office Manager/Treasurer
Acting Town Manager