

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA**

BYLAW 16/2012

Municipal Planning Commission

A BYLAW OF THE TOWN OF MORINVILLE IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE MORINVILLE MUNICIPAL PLANNING COMMISSION.

PURSUANT to Section 626 of the *Municipal Government Act*, R.S.A., 2000, c. M-26;

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

- 1.0 This Bylaw shall be cited as the "Morinville Municipal Planning Commission Bylaw".
- 2.0 In this Bylaw:
 - 2.1. "**Chief Administrative Officer (CAO)**" means the Chief Administrative Officer of the Municipality appointed by Council;
 - 2.2. "**Council**" means the duly elected officers of the Municipality;
 - 2.3. "**Municipality**" means the Town of Morinville;
 - 2.4. "**Municipal Government Act (MGA)**" means the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 as amended or legislation substituted therefor;
 - 2.5. "**Municipal Planning Commission (MPC)**" means members of Council and Public at Large appointed by resolution of Council to the Municipal Planning Commission of the Municipality;
 - 2.6. "**Organizational Meeting of Council**" means the annual organizational meeting of the Council held in October;
 - 2.7. "**Recording Secretary**" means a person appointed to the position of recording secretary of MPC pursuant to this Bylaw;
 - 2.8. "**Simple Majority**" means more than 50% of the votes or persons;
 - 2.9. "**Staff Advisor**" means a person appointed to the position of staff advisor of the MPC pursuant to this Bylaw; and
 - 2.10. "**Vacancy**" means the absence of a member that is unable to continue to fulfill his or her obligation as a member.

ALL OTHER TERMS used in this bylaw shall have the meaning assigned to them by the *MGA*, to the extent that said meaning differs from the ordinary mean.

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ESTABLISHMENT, MEMBERSHIP, AND TERM OF OFFICE

- 3.0 The MPC is hereby established and shall consist of 5 members being 2 members of Council and 3 members from the Public at Large.
- 4.0 Council members on the MPC as required by Section 3.0 shall be appointed at the annual Organizational Meeting of Council for a one-year term. Any member of Council's appointment to the MPC terminates upon ceasing to be a member of Council.
- 5.0 Council shall appoint the MPC members from the Public at Large as required by Section 4.0 by Resolution of Council at the Organizational Meeting of Council and in accordance with the following:
- 5.1. Members of the MPC from the Public at Large shall be appointed for a two-year term and no such member may serve more than three consecutive terms on the MPC. Members sitting on the MPC as of October 2012 shall be considered to have served one term.
- 5.2. Any vacancy occurring may be filled for the remainder of the term by Council resolution.
- 5.3. The appointment of a member of the MPC from the Public at Large terminates upon expiry of their term as established by Resolution of Council pursuant to Section 6.0, ceasing to be a resident of the Municipality or for other reasons as may be determined by Council.
- 6.0 No member of the MPC may be an employee of the Municipality, a person who carries out subdivision or development powers, duties and functions on behalf of the Municipality, or is a member of the Municipality's Subdivision and Development Appeal Board.
- 7.0 MPC members shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time.

QUORUM, CHAIRPERSON, VICE-CHAIRPERSON, AND RULES OF PROCEDURE

- 8.0 A simple majority of the members of the MPC shall constitute a quorum.
- 9.0 The members of the MPC shall appoint 1 member as Chairperson and 1 member as Vice Chairperson, who shall act in the absence of the Chairperson. To ensure compliance with Section 8.0, the appointed Chairperson or, in the absence of the appointed Chairperson, the appointed Vice Chairperson, must always be present to form the MPC.
- 10.0 The Chairperson and Vice Chairperson shall hold office for a period of one year from the date of appointment.
- 11.0 The duties of the Chairperson shall consist of:
- 11.1. presiding at the regular and special meetings of the MPC;
- 11.2. direction and control of the operation of the MPC;
- 11.3. direct consultation with the CAO, or designate;
- 11.4. reviewing all information and material for inclusion in an agenda for all regular and special meetings of the MPC; and
- 11.5. acting as the spokesperson for the activities of the MPC.
- 12.0 The duties of the Vice Chairperson shall consist of fulfilling the duties of the Chairperson in his or her absence.

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- 13.0 For those matters not covered in this bylaw or Part 17 of the MGA, the MPC may establish rules of procedure as necessary for the conduct of its meetings and other business that is consistent with this bylaw and the MGA. For those matters not otherwise covered, the MPC may refer to the Procedure Bylaw of the Municipality.

ROLE OF STAFF

- 14.0 The CAO or their designate may appoint a staff advisor and/or recording secretary to the MPC and may, where appropriate, attend meetings of the MPC in a non-voting, ex-officio capacity.
- 15.0 The role of the staff advisor appointed hereunder would be that of an advisor to the MPC in respect of those matters within the jurisdiction of the MPC.
- 16.0 The duties of the recording secretary, or the staff advisor where a recording secretary is not appointed, shall consist of:
- 16.1. attendance at all regular and special meetings of the MPC;
 - 16.2. attendance at all regular or special meetings of any sub-committees of the MPC as required by the MPC;
 - 16.3. to record and distribute minutes of such meetings in accordance with the provisions of this Bylaw or as directed by the MPC;
 - 16.4. to prepare and provide an agenda to members of the MPC at least 2 clear working days prior to the meeting for which the agenda is prepared; and
 - 16.5. to perform all other duties as may be assigned by the MPC from time to time.

MEETINGS

Regular and Special Meetings

- 17.0 Meetings of the MPC shall be held monthly, at the call of the Chairperson.
- 18.0 Special meetings may be called on 24 hours' notice by the chairperson or at the request of a simple majority of the members of the MPC. The MPC may, by unanimous consent, waive notice of a special meeting at any time if every member of the MPC is present and has signed a waiver of notice of special meeting.

Minutes

- 19.0 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 CAO and circulated to all members prior to the next regular meeting.

Decisions

- 20.0 The decision of the simple majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole MPC.
- 21.0 Only those MPC members present at a meeting shall vote on any matter before the MPC.

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SUB-COMMITTEES

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

DUTIES OF THE MPC

Development Authority

23.0 The MPC is hereby authorized to act as a Development Authority pursuant to Section 624 of the MGA, and to receive, consider and decide upon applications for development permits in the manner prescribed in the MGA, *Morinville Land Use Bylaw*, any other statutory provision or any Bylaw or Regulation, as amended from time to time.

Subdivision Authority

24.0 The MPC is hereby authorized to act as a Subdivision Authority pursuant to Section 623 of the MGA, and to receive, consider and decide upon applications for subdivision approval in the manner prescribed in the MGA, *Morinville Land Use Bylaw*, any other statutory provision or any Bylaw or Regulation, as amended from time to time.

Planning Advisory Committee

25.0 The MPC shall assume the role as an advisory committee with respect to planning initiatives and projects as may be assigned by the CAO or their designate.

General Duties

26.0 In addition to any duties and responsibilities the MPC set out in this Bylaw or as prescribed by the MGA, the duties and responsibilities of the MPC shall be determined by resolution of Council.

27.0 The MPC may advise Council with respect to the making of policies as it deems necessary from time to time, provided such policies are not inconsistent with the powers herein conferred.

ANNUAL REVIEW

28.0 Council shall review this Bylaw annually and make any changes deemed necessary.

SEVERANCE

29.0 If any Section or Sections of this Bylaw or parts thereof are found in any court of law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.

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ENACTMENT

30.0 That this Bylaw shall come into full force and effect upon the final passing thereof.

That Bylaw 16/2009 is hereby rescinded when Bylaw 16/2012 receives third and final reading.

READ a first time this 9th day of October, 2012

N. Boutestein
Councillor

Debbie Oyarzun
Chief Administrative Officer

READ a second time this 23rd day of October, 2012

READ a third time and finally passed this 23rd day of October, 2012

N. Boutestein
Deputy Mayor

Debbie Oyarzun
Chief Administrative Officer