

**BYLAW NO. 40-2010
PARKLAND COUNTY**

**BEING A BYLAW OF PARKLAND COUNTY
TO ESTABLISH A DEVELOPMENT AUTHORITY**

WHEREAS Section 624 of the of the Municipal Government Act. Revised Statutes of Alberta, 2000, Chapter M-26, as amended, provides that a Council must, by Bylaw, establish a Development Authority; and

WHEREAS the Council of Parkland County wishes to amend the terms and conditions of the Development Authority, as presently set out in Bylaw 25-2010.

NOW THEREFORE the Council of Parkland County duly assembled, enacts as follows:

1. Definitions

In this Bylaw:

- a) "Act" means the Municipal Government Act, Chapter M-26, 2006 and any amendments thereto;
- b) "Applicant" means any person who has applied for a Development Permit;
- c) "Assistant Development Officer" means that person employed by the County to act as the Assistant Development Officer within the Administrative staff complement of Parkland County;
- d) "Authority" means the Development Authority of Parkland County established pursuant to this Bylaw;
- e) "Council" means the Council of Parkland County;
- f) "County" means Parkland County;
- g) "Chief Administrative Officer" means that person employed in the capacity of the Chief Administrative Officer of Parkland County, whose position is referred to as the Chief Administrative Officer;
- h) "Development Officer" means those person's employed by the County to act as the Development Officer within the Administrative staff complement of Parkland County;
- i) "Economic Development & Tourism Officer" means that person employed by the County to act as the Economic Development & Tourism Officer within the Administrative staff complement of Parkland County;
- j) "General Manager of Community Services" means that person employed in the capacity of General Manager of Community Services within the Administrative staff complement of Parkland County;
- k) "General Manager of Infrastructure Services" means that person employed in the capacity of General Manager of Infrastructure Services within the Administrative staff complement of Parkland County;
- l) "Members" mean the members of the Development Authority duly constituted pursuant to the Bylaw;
- m) "Member of the Management Team" means the people employed in the capacities of Manager being: the Manager of Agricultural Services, Manager of Assessment Services, Manager of Community and Protective Services, Manager of Engineering Services, Manager of Financial Services, Manager of Legislative and Administrative Services, Manager of Public Works within the Administrative staff complement of Parkland County;

- n) "Senior Development Officer" means that person employed by the County to act as the Senior Development Officer within the Administrative staff complement of Parkland County;
- o) All other terms in this Bylaw shall have the meaning assigned to them by the Act to the extent that the said meaning differs from the ordinary means of such terms.

2. Development Authority

- a) (i) The Development Authority shall consist of:

Those persons employed by Parkland County in the capacity of:

The General Manager of Community Services and the General Manager of Infrastructure Services, and

The Managers of Engineering Services; Community and Protective Services as well as one additional member of the Management Team (appointed by the Chief Administrative Officer on a two year rotational basis), and

The Economic Development & Tourism Officer (or their designate) who shall be included in a technical support role however; this position shall not be a voting member
- (ii) The Chief Administrative Officer may appoint two members of the Management Team who are not serving as members of the Development Authority by appointment pursuant to paragraph 2(a) (i) of this bylaw, as alternate members of the Development Authority who may, when requested by the Chairman or Vice Chairman to do so, attend meetings of the Development Authority to ensure a quorum.
- b) The Development Authority shall also consist of the Senior Development Officer, Development Officer and Assistant Development Officer. For the purposes of this Bylaw, the Senior Development Officer, the Development Officer and the Assistant Development Officer shall have only those duties and responsibilities specified under Sections 4 and 5 (e & f) of this Bylaw and the Land Use Bylaw 20- 2009 (and any amendment thereto).

3. Functions, Powers and Duties of the Development Authority (excepting the Senior Development Officer, Development Officer and Assistant Development Officer).

- a) Act as Development Authority as prescribed in the Act by performing all functions, powers and duties currently assigned to the Development Authority as set out in the County's Land Use Bylaw No. 20-2009 (and any amendment thereto);
- b) Perform those Development Authority functions, powers and duties provided for in Section 645(1) of the Act.

4. Functions, Powers and Duties of the Senior Development Officer, Development Officer and Assistant Development Officer.

- a) Act as the Development Authority as prescribed in the Act by performing all functions, powers and duties currently assigned to the office of Development Officer as prescribed in the County's Land Use Bylaw No. 20-2009 (and any amendment thereto), independent of other Authority members and without the requirement of calling a meeting;
- b) Perform those development authority functions, powers and duties provided for in Section 645(1) of the Act.

5. Meetings and Business

- a) Three (3) voting members of the Authority shall constitute a quorum at any meeting of the Authority;
- b) Chairman and Vice-chairman to be appointed by the Development Authority annually;

- c) Meetings of the Authority shall be held at the times and places determined by the Authority;
- d) Decisions of the Authority made pursuant to Section 3 of this Bylaw shall be made by way of a simple majority vote of the Authority voting members present at the meeting. In the event of a tie vote, the motion shall be lost and a decision on the matter tabled until the next meeting of the Authority;
- e) A record of each meeting of the Authority held pursuant to Section 3 of this Bylaw shall be kept, which summarizes the following: date of meeting; items/development permit applications considered by the Authority; applicants in attendance at the meeting; decision of the Authority as to whether a development permit application was approved with or without conditions, refused or tabled;
- f) Written decisions of the Authority shall be sent under the signature of the Senior Development Officer, the Development Officer, or the Assistant Development Officer, on behalf of the Development Authority;
- g) The Authority shall be bound in its decisions by the requirements of the Act, the Subdivision and Development Regulation, applicable Statutory Plans and Land Use regulations, and the adopted policies of the Council of Parkland County;
- h) The Authority shall not be required to hear any submissions with respect to an application for a development permit unless the applicant requests an appearance before the Authority, prior to the Authority having made its decision. In that case, the applicant shall be allowed to make a submission on the application and speak to the matter.

6. Fees

- (1) The fee to be charged for any matter coming before the Development Authority shall be as per the Fees and Charges schedule approved by Council as part of Parkland County's Capital and Operating budget.

THIS BYLAW WILL COME INTO FORCE AND EFFECT ON THE FINAL DAY OF PASSING AND SIGNATURE THEREOF.

7. Bylaw Repeal

Development Authority Bylaw 25-2010 is hereby rescinded.


READ A FIRST TIME THIS 9th DAY OF NOVEMBER, 2010.

READ A SECOND TIME THIS 9th DAY OF NOVEMBER, 2010.

READ A THIRD TIME by unanimous consent of the Councillors present and finally passed this 9th DAY OF NOVEMBER, 2010.



Mayor



Manager, Legislative and Administrative Services