

# APPENDIX A

## BYLAW NO. 1876

A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87, IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEREBY CITED AS THE INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW.

**WHEREAS**, under the provisions of the Municipal Government Act, R.S.A 2000, Chapter M-26, and amendments thereto, a Council's power to pass a bylaw includes a power to amend or repeal a bylaw;

**AND WHEREAS**, Section 627 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, authorizes a municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board;

**AND WHEREAS**, the agreement must provide for the function, duties, procedures and conduct of the intermunicipal subdivision and development appeal board and its members;

**AND WHEREAS**, the Council of the Municipal District of Bonnyville No. 87 deems it beneficial to establish an intermunicipal subdivision and development appeal board to hear subdivision and development appeals within its municipal boundaries and the municipal boundaries of other participating municipalities.

**NOW THEREFORE**, the Council of the Municipal District of Bonnyville No. 87, duly assembled in the Province of Alberta, hereby enacts the following:

### 1 DEFINITIONS

- 1.1 Except as otherwise provided for in this Bylaw, the terms used in the Act, where used or referred to in this Bylaw, shall have the same meaning as defined or provided in the Act.
- 1.2 Words in the singular shall include the plural whenever the context so requires or vice versa.
- 1.3 Words in the masculine gender will include the feminine gender whenever the context so requires and vice versa.
- 1.4 In this Bylaw:
  - (a) "Act" means the *Municipal Government Act, R.S.A. 2000, Chapter M-26* as amended, and the associated regulations;
  - (b) "Hearing" means a formal meeting hosted by the Intermunicipal Subdivision and Development Appeal Board for the purpose of hearing evidence and pleadings initiated by an appeal in accordance with the Act;
  - (c) "Intermunicipal Subdivision and Development Appeal Board Services Agreement" means the legal document signed by the Partner Municipalities to establish the Intermunicipal Subdivision and Development Appeal Board;

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- (d) “Partner Municipality” means a municipality who has entered into an agreement to establish an Intermunicipal Subdivision and Development Appeal Board and who enacts a bylaw substantially in the same form as this Bylaw.

### **2 ESTABLISHMENT OF THE INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

- 2.1 The Intermunicipal Subdivision and Development Appeal Board is hereby established to exercise the functions of a Subdivision and Development Appeal Board to have jurisdiction within the boundaries of the Partner Municipalities.
- 2.2 The Intermunicipal Subdivision and Development Appeal Board shall have all the powers, duties, and responsibilities of a Subdivision and Development Appeal Board under the Act.
- 2.3 The Intermunicipal Subdivision and Development Appeal Board shall hear all subdivision and development appeals, as set out in the Act for the Partner Municipalities in accordance with the requirements of the Act and the Agreement for Intermunicipal Subdivision and Development Appeal Board Services signed by the Partner Municipalities.
- 2.4 The Intermunicipal Subdivision and Development Appeal Board may establish additional rules and procedures than provided for in the Agreement for Intermunicipal Subdivision and Development Appeal Board Services as are necessary for the conduct of its hearings and its business that remain consistent with provincial and municipal legislation and the Agreement for Intermunicipal Subdivision and Development Appeal Board Services.

### **3 REPEAL**

- 3.1 Upon third reading of Bylaw No. 1876, Bylaw No. 1670 and all amendments thereto are hereby repealed.

### **4 SEVERABILITY**

- 4.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw is deemed valid and enforceable.

### **5 EFFECTIVE DATE**

- 5.1 That this Bylaw shall come into force and have effect from and after the date of third and final reading thereof.

READ A FIRST TIME IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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READ A SECOND TIME IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

READ A THIRD TIME IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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REEVE

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CHIEF ADMINISTRATIVE OFFICER

DRAFT