

A BYLAW OF THE VILLAGE OF IRMA IN THE PROVINCE OF ALBERTA
TO ESTABLISH THE SUBDIVISION AUTHORITY OF THE VILLAGE OF
IRMA

WHEREAS, pursuant to the provisions of the Municipal Government Act, S.A. 1994, as amended ("the Act") requires that a Municipal Council must establish a Subdivision Authority by bylaw.

NOW THEREFORE the Council of the Village of Irma, duly assembled, enacts as follows.

1. NAME

1(a) This Bylaw may be cited as the Subdivision Authority Bylaw.

2. DEFINITIONS

The following words and phrases mean:

2(a) "Act" means the Municipal Government Act, S.A. 1994 as amended.

2(b) "Council" means the Mayor and Councillors of the Village of Irma for the time being elected pursuant to the provisions of the Act, whose term is unexpired, who have not resigned and who continue to hold office as such under the terms of the Act.

2(c) "Municipal Government Board" means the Board established under the Act.

2(d) "Subdivision and Development Appeal Board" means the Board established to hear development and subdivision appeals pursuant to section 3 of the Subdivision and Development Appeal Board Bylaw.

2(e) "Subdivision Authority" means the persons established under section 3 of the bylaw to perform the functions of a Subdivision Authority under the Act.

2(f) "Subdivision Authority Officer" means the person occupying the position established under section 7 herein.

2(g) "Regulations" means the Regulations proclaimed pursuant to the Act.

3. ESTABLISHMENT OF SUBDIVISION AUTHORITY

3(a) The Subdivision Authority of the Village of Irma is hereby established.

3(b) The Subdivision Authority shall consist of three members appointed by resolution of the Council.

3(c) Any vacancies caused by the death, retirement or resignation of a member may be filled by resolution of the Council.

3(d) Council may remove a member from the Subdivision Authority by resolution at any time.

and may be reappointed upon the expiry of the term at the pleasure of Council.

- 4(b) Where a member of Council is appointed as a member of the Subdivision Authority, his appointment shall terminate upon his ceasing to be a member of the Council.

5. CHAIRMAN

5(a) At the first meeting of the Subdivision Authority following the appointment of members each year, a Chairman shall be elected by vote of the majority of the members.

5(b) A member may be re-elected to the position of Chairman.

5(c) The Chairman shall preside at the meetings of the Subdivision Authority.

6. VICE-CHAIRMAN

6(a) A Vice-Chairman shall be elected at the same time and under the same rules as the Chairman.

6(b) A member may be re-elected to the position of vice Chairman.

6(c) The Vice-Chairman shall preside at the meetings of the Subdivision Authority.

7. SUBDIVISION AUTHORITY OFFICER

7(a) The position of designed officer for the limited purpose of carrying out the function of the Officer to the Subdivision Authority is hereby established ("the Subdivision Authority Officer").

7(b) The Subdivision Authority Officer shall be appointed by resolution of the Subdivision Authority and shall not be a member of the Subdivision Authority.

7(c) The Subdivision Authority Officer shall have responsibilities and functions including the following:

(i) Undertakes all those responsibilities and functions delegated to the Subdivision Authority Officer by the Subdivision Authority.

(ii) Ensures applications to the Subdivision Authority and statutory notices and decisions of the Subdivision Authority are provided to such persons as the Act and the Regulations require.

(iii) Signs orders, decision, approvals, notices, and other items given or done by the Subdivision Authority on its behalf.

8. QUORUM AND MEETINGS

8.1 The Subdivision Authority shall be two

8(c) The subdivision Authority shall have prepared and maintain a file of written Minutes of the business transacted at all meetings of the Subdivision Authority, copies of which shall be regularly filed with the Council.

8(d) The Subdivision Authority may make rules as are necessary for the conduct of its meetings, its hearings and its business that are consistent with this Bylaw, the Village of Irma Land Use Bylaw, and the Act.

9. FEES AND EXPENSES

9(a) The remuneration, travelling, living and other expenses of the members of the Subdivision Authority shall be established by Council from time to time.

9(b) The fees for applications to the Subdivision Authority for all manner of activities and approvals within the purview of the Subdivision Authority may be set by bylaw.

10. RESPONSIBILITIES AND FUNCTIONS

10(a) The Subdivision Authority shall exercise those functions and powers within the Village of Irma as are described in the Act and the Regulations.

10(b) The Subdivision Authority may delegate any of its responsibilities as provided for under the Act or the Regulations to a Subdivision Authority Officer or to another person by resolution of the Subdivision Authority.

10(c) The Subdivision Authority is not required to hold a hearing in considering an application for subdivision.

10(d) The Subdivision Authority must not approve an application for subdivision approval unless:

(i) the land that is proposed to be subdivided is, in the opinion of the Subdivision Authority, suitable for the purpose for which the subdivision is intended.

(ii) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection 10(e) of this bylaw, any land use bylaw that affects the land proposed to be subdivided.

(iii) the proposed subdivision complies with the Act and the Regulations, and

(iv) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or to the municipality

- (i) the proposed subdivision would not:
- (a) unduly interfere with the amenities of the the neighbourhood, or
 - (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw of the Village of Irma.
- 10(f) The Subdivision Authority may approve, approve subject to conditions, or refuse an application for subdivision approval.
- 10(g) A decision of the Subdivision Authority must be given in writing to the applicant and to the Government departments, persons and local authorities to which the Subdivision Authority is required by the Regulations to give a copy of the application.
- 10(h) A decision of the Subdivision Authority must state:
- (i) whether an appeal lies to the Subdivision and Development Appeal Board or to the Municipal Government Board, and
 - (ii) if an application for subdivision approval is refused, the reasons for the refusal.
- 10(i) The power to extend the periods pursuant to the Act is delegated by the Council to the Subdivision Authority. The Subdivision Authority may further delegate this power to a Subdivision Authority Officer.
- 10(j) The power to decide if an environmental reserve easement is to be applied to a parcel of land which is subject to a subdivision rather than an environmental reserve pursuant to the Act is delegated by the Council to the Subdivision Authority.

READ a first time this 12th day of December, A.D. 1995

READ a second time this 12th day of December, A.D. 1995

READ a third time this 12th day of December, A.D. 1995
and finally passed.


Mayor