

**TOWN OF REDCLIFF  
BYLAW NO. 1221/2000**

**A BYLAW OF THE TOWN OF REDCLIFF** to establish the Redcliff Subdivision Approving Authority and prescribe its role and responsibilities.

**WHEREAS** the Municipal Government Act, Chapter M26.1, Revised Statutes of Alberta 1994, provides that a municipality shall by Bylaw establish a Subdivision Approving Authority;

**NOW THEREFORE THE MUNICIPAL CORPORATION OF REDCLIFF, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

This Bylaw may be cited as the **Subdivision Approving Authority Bylaw** .

**2. INTERPRETATION**

In this Bylaw:

- (A) **Act** means the Municipal Government Act, as amended from time to time.
- (B) **Council** means the Council of the Town.
- (C) **Municipal Manager** means a person appointed by Council as Chief Administrative Officer and known as Municipal Manager.
- (D) **Municipal Secretary** means a person appointed by Council as a Designated Officer and known as Municipal Secretary
- (E) **Redcliff Planning Board** means the Board that is established as outlined in the Redcliff Planning Board Bylaw.
- (F) **Redcliff Planning Consultant** means the person appointed by Council to provide consulting planning services to the Town.
- (G) **Secretary** means the Municipal Manager or the individual the Municipal Manager has directed to perform the secretarial duties of the Authority.
- (H) **Subdivision** means a subdivision application submitted to the Redcliff Subdivision Approving Authority.
- (I) **Town** means the Municipality of the Town of Redcliff.

**3. ESTABLISHMENT AND COMPOSITION**

- A) The **Redcliff Subdivision Approving Authority is** hereby established under the name of **Redcliff Subdivision Approving Authority**.
- B) The **Redcliff Subdivision Approving Authority** shall be composed of all members of Redcliff Town Council.

4. **APPOINTMENT OF CHAIRMAN**

- A) The Mayor shall act as Chairman of the **Redcliff Subdivision Approving Authority**.
- B) The Chairman or such other person authorized by the **Redcliff Subdivision Approving Authority** for the purpose, shall sign all notices of decisions and other documents on behalf of the Authority relating to any jurisdiction or power of the Authority .
- C) Any document that has been signed by the Chairman or the authorized person shall be deemed to have been signed on behalf of and with the approval of the **Redcliff Subdivision Approving Authority**.
- D) Every member shall vote on every application placed before the **Redcliff Subdivision Approving Authority**.
  - (i) unless in a specific case, the Chairman or member is excused by resolution of the Authority from voting, or
  - (ii) unless disqualified from voting by reason of pecuniary interest;
  - (iii) unless disqualified from voting by reason of the member was not present during the entire length of the discussion pertaining to a matter being considered at the meeting of the **Redcliff Subdivision Approving Authority**.

5. **APPOINTMENT AND DUTIES OF SECRETARY**

- A) The **Secretary** shall perform such functions as may be necessary to assist the **Redcliff Subdivision Approving Authority** to fulfill its duties under the Act and this Bylaw.
- B) The **Secretary** shall maintain a written record with respect to:
  - (i) the minutes of all meetings;
  - (ii) all applications for subdivisions;
  - (iii) copies of all written representation to the **Redcliff Subdivision Approving Authority** ;
  - (iv) a summary of any verbal evidence presented to the **Redcliff Subdivision Approving Authority**;
  - (v) the names and addresses of those persons making representation to the **Redcliff Subdivision Approving Authority**;

- (vi) the decisions together with the reasons of the **Redcliff Subdivision Approving Authority**;
  - (vii) copies of all notices of decisions and to whom they were sent.
- C) The **Secretary** shall:
- (i) notify all members of the **Redcliff Subdivision Approving Authority** of the arrangements for holding meeting;
  - (ii) shall make available for public inspection, before the commencement of meetings, all relevant documents and materials respecting the application.

6. **DUTIES OF THE TOWN OF REDCLIFF SUBDIVISION APPROVING AUTHORITY**

- A) The **Redcliff Subdivision Approving Authority** shall meet at such intervals as are necessary to consider and decide on subdivisions applied for within terms of this Bylaw, the Land Use Bylaw, and the Act. These meeting shall be held during regularly scheduled Town of Redcliff Council meetings.
- B) At meetings the **Redcliff Subdivision Approving Authority** shall: hear from or receive:
- (i) hear a report from the Redcliff Planning Board; or receive
  - (ii) any other person who has served with notice of the hearing;
  - (iii) any other person or his agent who claims to be affected by the decision
- C) The **Redcliff Subdivision Approving Authority** may make its rules as are necessary for the conduct of its meetings and its business in accordance with the Act and this Bylaw.

7. **QUORUM**

- A) A quorum shall be the majority of appointed members of Redcliff Town Council.

8. **DECISIONS**

- A) The **Redcliff Subdivision Approving Authority** may approve or deny any application for subdivision.
- B) The **Redcliff Subdivision Approving Authority** shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the meeting.
- C) The majority decision of the members of the **Redcliff Subdivision Approving Authority** present at a meeting duly convened shall be deemed to be the decision

of the Board.

- D) In the event of a tie vote, the motion shall be deemed to be decided in the negative.
- E) Where a hearing is adjourned and the **Redcliff Subdivision Approving Authority** does not at the time of adjournment fix a time and place for further hearing of the application and announce it to those in attendance, the Chairman shall announce to those in attendance that notice of the time and place for further hearing will be sent only to those persons who leave their name and addresses shall be entitled to notice of the further meeting.
- F) In accordance with the Act, the **Redcliff Subdivision Approving Authority** may deliberate and make its decision in meetings closed to the public.

9. **APPEALS**

- A) An appeal of a decision made by the **Redcliff Subdivision Approving Authority** on a subdivision application may be made to the **Subdivision and Development Appeal Board**.
- B) The **Secretary** shall keep on file all notices of application made for leave to appeal to the **Subdivision and Development Appeal Board**.

10. **CONFIDENTIALITY**

- A) The **Redcliff Subdivision Approving Authority** shall withhold the following information, within the possession of the **Town** unless its disclosure is required by this or any other enactment or by an order of the court or its disclosure is consented to by the person to whom the information relates:
  - i) commercial information, the disclosure of which would:
    - a) likely prejudice the commercial position of the person who supplied it;
    - b) reveal a trade secret;
    - c) likely prejudice the **Town's** ability to carry out its activities or negotiations; or
    - d) allow the information to be used for improper gain or advantage;
  - ii) information that is subject to obligations of confidence, the disclosure of which would:
    - a) likely prejudice the future supply of similar information or advice;
    - b) likely prejudice the **Town's** ability to carry out its activities or

- negotiations;
- c) place Authority Members, or employees of the **Town** at risk of improper pressure or harassment;
- d) breach legal professional privilege; or
- e) prejudice measures protecting health and safety;
- iii) personal information, including personnel information, unless its disclosure:
  - a) is for the purpose for which the information was obtained or for a consistent purpose;
  - b) is required so that the **Town** can carry out its duties and functions; or
  - c) is in a statistical or other form so that the name of persons are not revealed or made identifiable;
- iv) information of a deliberative kind and draft reports that are likely to be released to the public in a final form in due course except when the information or draft report is placed before a meeting held in public;
- v) information the disclosure of which could prejudice security and the maintenance of the law;
- vi) information placed before a meeting that is closed to the public, except when the information is later placed before a meeting held public;
- vii) information that is prohibited from being released by this or any other enactment.

**13. REPEAL**

A) Bylaw No. 1059/95 is hereby repealed.

READ a first time this **24<sup>th</sup>** day of **January, 2000**.

READ a second time this **24<sup>th</sup>** day of **January , 2000**.

READ a third and final time this **24<sup>th</sup>** day of **January, 2000**

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, **2000**

MAYOR

MUNICIPAL SECRETARY