



**BYLAW NO. 1543-15  
Of The  
TOWN OF PINCHER CREEK**

**A BYLAW OF THE MUNICIPALITY OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL DEVELOPMENT AND SUBDIVISION AUTHORITY (MDSA).**

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**WHEREAS** the Municipal Government Act, M-26, RSA 2000 and amendments thereto requires the municipality to adopt a bylaw to establish a Municipal Development Authority and a Municipal Subdivision Authority;

**AND WHEREAS** the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the Municipal Land Use Bylaw;

**AND WHEREAS** the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the Provincial land use policies, the subdivision and development regulations and the local land use bylaw and statutory plans;

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

**TITLE**

1. This bylaw may be cited as the Town of Pincher Creek Municipal Development and Subdivision Authority Bylaw.

**DEFINITIONS**

2. **Act** means the Municipal Government Act, Chapter M-26, R.S.A. 2000 and amendments thereto.
3. **Municipality** means the Town of Pincher Creek in the Province of Alberta.
4. **Council** means the Municipal Council of the Town of Pincher Creek.
5. **Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:
  - (a) in the Act, or
  - (b) in the Town of Pincher Creek Land Use Bylaw, or
  - (c) in this Bylaw, or
  - (d) by Resolution of Council.
6. **Subdivision Authority** means the board, person or organization established to act as the Subdivision Authority.
7. **MDSA** means the Municipal Development and Subdivision Authority for the Town of Pincher Creek.


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8. **Members** means the members of the MDSA.
9. **Authorized Persons** means a person or organization authorized by the Council to which the municipality may delegate any of its development and subdivision authority powers, duties or functions.
10. **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**

#### GENERAL RULES

11. The Development Authority for the municipality shall be the MDSA and the Designated Officer as defined in the Town's Land Use Bylaw.
12. The MDSA is authorized to make decisions on applications for subdivision approval in accordance with Provincial land use policies, subdivision development regulations, the Town of Pincher Creek Land Use Bylaw and Statutory Plans.
13. The MDSA shall be composed of not more than five persons who are adult residents of the Town of Pincher Creek.
14. Appointments to the MDSA shall be made by Resolution of Council.
15. Members shall be appointed to the Board by Council for up to three (3) year term.
16. When a person ceases to be a member of the MDSA before the expiration of his term, Council shall appoint another person for the unexpired portion of that term within 60 days or receiving notice of the vacancy.
17. The Members of the MDSA shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office.
18. Each Member of the MDSA shall be entitled to such remuneration, traveling and living expenses as may be fixed from time to time by Council and remuneration, traveling and living expenses shall be paid by the Town of Pincher Creek and shall be the same as Councillors remuneration for attending Committee meetings as per Town of Pincher Creek Bylaw No. 1578 and amendments thereto.
19. The MDSA shall hold regular meetings as needed however not less than on a quarterly bases on a date to be determined by the MDSA, and it may also hold special meetings at any time at the call of the Chairman.
20. Three of the Members of the MDSA shall constitute a quorum.
21. The decision of the majority of the Members present at a meeting shall be deemed to be the decision of the whole MDSA.

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22. The MDSA may make its orders, decisions, development permits, and approvals; and may issue notices with or without conditions.
23. The MDSA may make rules to govern its hearings.
24. Annually after the 3rd Monday in October at the first meeting MDSA shall hold an organizational meeting and schedule a training session on Provincial land use policies, the subdivision and development regulations, the land use bylaw and statutory plans.
25. The Designated Officer or Delegate shall attend all meetings of the MDSA and shall keep the following records with respect thereto:
  - a) the minutes of all meetings
  - b) all applications
  - c) records of all notices of meetings and of persons to whom they were sent
  - d) copies of all written representations to the MDSA
  - e) the decision of the MDSA
  - f) the reasons for the decision of the MDSA
  - g) records of all notes of decision and of persons to whom they were sent
  - h) all notices, decisions, and orders made on appeal from the decision of the MDSA
  - i) such other matters as the MDSA may direct.
26. Bylaw No.1543-13 and amendments thereto are hereby repealed.
27. This comes into force and effect upon final passing thereof.

READ A FIRST TIME THIS 26<sup>th</sup> DAY OF January, 2015.

  
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Don Anderberg, Mayor

  
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Laurie Wilgosh, CAO

READ A SECOND TIME THIS 9<sup>th</sup> DAY OF February, 2015, A.D.

  
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Don Anderberg, Mayor

  
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Laurie Wilgosh, CAO

READ A THIRD TIME AND FINALLY PASSED THIS 9<sup>th</sup> DAY OF February, 2015, A.D.

  
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Don Anderberg, Mayor

  
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Laurie Wilgosh, CAO

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