



**Town of Bentley**  
**Municipal Planning Commission**  
**By-law No. 209/2019**

**A BY-LAW OF THE TOWN OF BENTLEY, IN THE PROVINCE OF ALBERTA, TO  
ESTABLISH A MUNICIPAL PLANNING COMMISSION**

**WHEREAS**, the Bentley Municipal Council wishes to establish a Municipal Planning Commission, as required by the Alberta Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta, and amendments thereto;

**NOW THEREFORE**, the Municipal Council of the Town of Bentley, duly assembled, enacts as follows;

Title:

1. This By-law may be cited the “Municipal Planning Commission By-law”

Definitions:

2. The following words and terms are defined as follows:
  - a) “Act” means the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta, and amendments thereto
  - b) “Commission” means the Municipal Planning Commission, established by this By-law
  - c) “Council” means the Council of the Town of Bentley
  - d) “Development Officer” means the person appointed to the position under the provisions of the Town of Bentley Land Use By-law No. 189/2016 and amendments thereto.
  - e) “Land Use By-law” means the Land Use By-law No. 189/2016 and amendments thereto.
  - f) “Member” means a member of the Municipal Planning Commission appointed pursuant to this By-law.
  - g) “Town” means the Town of Bentley

Establishment of Authority:

3. The Municipal Planning Commission is hereby established.

Membership and Term:

4. The Municipal Planning shall consist of all members of Council.
5. Members of the Municipal Planning Commission shall be appointed for a term specified by Resolution of Council, at the Annual Organization Meeting of Council.
6. The Mayor and Deputy Mayor of Council shall serve at the Chair and Vice-Chair
7. If a Member misses three (3) consecutive meetings without the authorization of the Commission, the person is disqualified and the position becomes vacant, otherwise, a member shall not be disqualified without cause.

Functions and Duties:

8. The Commission has the following functions and duties;
  - a) To serve as Development Authority pursuant to the Municipal Government Act and as empowered by the Development Authority By-law in respect to those powers and duties assigned to the Commission under the Land Use By-law.
  - b) To serve a Subdivision Authority, pursuant to the Act and Town of Bentley By-law No. 208/2019.
  - c) To advise Council with respect to achieving the orderly and economical and beneficial development, use of land and patterns of settlement and to maintain and improve the quality of the physical environment within which the patterns of settlement are situated in the Town.

Procedural Matters:

9. A quorum of the commission shall consist of the majority of members.
10. In the event of absence or inability of the Chair to preside at a Commission meeting, the Vice-Chair shall preside. In the event of absence or inability of both the Chair and Vice-Chair to preside at a meeting, the Members present in constituting a quorum shall elect one of its members to act as Chair.
11. Only those Members of the Commission present at a meeting of the Commission shall be able to vote on a matter at the meeting.



12. A decision of the majority of Members present at a duly convened meeting of the Commission shall be deemed to be a decision of the whole Commission.
13. In the event of a tie vote, the matter before the Commission shall be deemed to be denied.
14. For any procedures not covered within this By-law or the Act, the Commission shall follow Council procedural policy and the Council Code of Conduct By-law.
15. The Commission shall hold meetings and undertake actions as are necessary to fulfill the powers and duties of the Commission
16. If a Member has direct pecuniary interest in a matter before the Commission, or if a Member is aware of any reason which may lead to a possible bias when hearing the matter, the Member shall declare an interest or likelihood of bias to the Commission and shall abstain from discussion and voting on the matter and such abstention shall be recorded in the minutes of the meeting.
17. Members of the Commission are required to put their role as Commission Member ahead of being a Town Councillor while considering matters before the Commission.

Effective Date:

18. By-law 04/95 and all amendments thereto is hereby repealed.
19. This By-law takes effect on the date the third and final reading is given.

Read a first time this 12<sup>th</sup> day of March, 2019

Read a second time this 12<sup>th</sup> day of March, 2019.

Received Unanimous Consent for presentation of third reading this 12<sup>th</sup> day of March, 2019

Read a third and final time this 12<sup>th</sup> day of March, 2019.



Mayor Greg Rathjen



Chief Administrative Officer Elizabeth Smart