

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1387-20**

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**A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA,  
TO ESTABLISH FEES FOR PLANNING AND DEVELOPMENT FOR SMOKY LAKE COUNTY.**

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**WHEREAS**, Smoky Lake County deems it expedient to set and review, as necessary, from time to time various fees and fines related planning and development within the Municipality; and

**WHEREAS** Council has adopted Smoky Lake County Bylaw 1272-14 to be the Land Use Bylaw;

**WHEREAS** Council may in a bylaw provide for a system of licences, permits or approvals, including establishing fees for licences, permits and approvals, in accordance with Section 8 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, and amendments thereto;

**WHEREAS**, the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended from time to time, authorizes an accredited municipality to make bylaws respecting fees for anything issued or any material or service provided pursuant to the *Safety Codes Act*;

**NOW THEREFORE** under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Smoky Lake County, duly assembled, enacts as follows:

**1. NAME:**

- i. This Bylaw may be referred to as the "Smoky Lake County Planning and Development Fees Bylaw."

**2. FEES ESTABLISHED:**

- i. **Schedule A** attached herein forms a part of this Bylaw.
- ii. The Subdivision Authority under the *Municipal Government Act* as appointed by Council may establish related fees.
- iii. The Accredited Agency under the *Safety Codes Act* as appointed by Council may establish related fees.

**3. FINES RELATED TO OFFENCES AND PENALTIES:**

a. Any person who:

- i. Contravenes or fails to comply with any provision of this Bylaw and/or the Smoky Lake County Land Use Bylaw 1274-12 the "Land Use Bylaw";
- ii. Uses land in a manner contrary to the provisions of this Bylaw or any subdivision or development permit for such land;

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- iii. Contravenes or fails to comply with any development permit or subdivision approval, or conditions forming part thereof;
  - iv. Contravenes or fails to comply with a decision of the Subdivision and Development Appeal Board;
  - v. Obstructs or otherwise hinders in any manner any person in the exercise or performance of that person's powers authorized under this or any other Bylaw or enactment; or,
  - vi. Contravenes or fails to comply with a stop order issued pursuant to the *Municipal Government Act*; is guilty of an offence and is liable on summary conviction to a fine.
- b. A person who contravenes or who fails to comply with any other provision of the Land Use Bylaw is guilty of an offence and is liable to a penalty for a first and each subsequent offence in the amount specified in **Schedule A** of this Bylaw.
- c. If a person is found guilty of an offence under the Land Use Bylaw, the court may, in addition to any other penalty imposed, order the person to comply with the Land Use Bylaw or a permit issued under that Bylaw, or a condition of any of them.
- d. A Peace Officer may issue a Municipal Tag where it is reasonably determined that a person has contravened any provision of the Land Use Bylaw.
- e. Where a contravention or offence is of a continuing nature, further Municipal Tags may be issued by a Peace Officer for each day the offence continues.
- f. A person named on a Municipal Tag may, in lieu of being prosecuted, plead guilty to the offence by signing the Municipal Tag and paying the specified penalty at the location indicated on the Municipal Tag.
- g. If payment of a Municipal Tag is not made within the time specified, a Peace Officer may issue a Violation Ticket under the *Provincial Offences Procedures Act* requiring the person named to appear in court on the date indicated in the Violation Ticket.
- h. Nothing in this Bylaw shall prevent or restrict a Peace Officer from immediately issuing a Violation Ticket under the *Provincial Offences Procedures Act* for a mandatory court appearance of any person who contravenes this Bylaw or the Land Use Bylaw.

**4. RIGHT OF ENTRY**

- i. For the purpose of entering and inspecting land or structures as described in section 542, Part 13, Division 4 of the *Municipal Government Act*, RSA 2000, Chapter M-26, a Development Officer or the Development Compliance Officer, and

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any other persons appointed by Council, are hereby declared to be "designated officers"

**5. REVIEW:**

- i. This Bylaw shall be reviewed every two years or as deemed necessary from time to time.

**6. SEVERABILITY:**

- ii. If any part of this Bylaw is found to be invalid, the remaining sections remain in force.

**7. EFFECTIVE DATE:**

- i. This Bylaw comes into force and effect upon it receiving Third Reading.
- ii. **Smoky Lake County Planning & Development Fees Policy 61.11** is hereby rescinded.

READ A FIRST TIME IN COUNCIL THIS 10<sup>th</sup> DAY OF DECEMBER, AD 2020.

READ A SECOND TIME IN COUNCIL THIS 10<sup>th</sup> DAY OF DECEMBER, AD 2020.

READ A THIRD AND FINAL TIME IN COUNCIL 10<sup>th</sup> DAY OF DECEMBER, AD 2020.

  
Craig Lukinuk  
Reeve

**SEAL**  
  
Gene Sobolewski  
Chief Administrative Officer

**SCHEDULE A**

ITEM DESCRIPTION	FEE
<b>DEVELOPMENT PERMITS</b>	
Permitted Use – Residential District	\$100.00
Permitted Use – Commercial / Industrial District / Public Institutional	\$1.00 / \$1,000.00 value of construction Minimum \$300.00
Discretionary Use / Variances	\$200.00
Extension Request / Renewals	\$50.00
Resource Extraction	\$750.00 / acre
Resource Extraction – Reclamation Fees (Reclamation Fees are exempt when the responsibility of Reclamation is of the Province of Alberta on Crown Land Only.)	\$2,000.00 / acre
Heritage Resource Intervention Permit	\$100.00
Landscaping, Deck, and Signs	\$100.00
Development Occurring prior to submitting Development Permit Application	\$500.00 <u>in addition</u> to the normal Permit Fee
<b>AMENDMENTS</b>	
Application to Amend the Land Use Bylaw (Map of Text Amendment)	\$1,000.00 + cost of advertising
Application to Amend the Municipal Development Plan	\$1,000.00 + cost of advertising
Application to Amend an Area Structure Plan	\$1,000.00 + cost of advertising
<b>NEW STATUTORY PLANS</b>	
New Area Structure Plan (proposed by a Developer)	\$2,000.00 + cost of advertising
<b>OTHER</b>	
Compliance Certificate	\$125.00
Letter confirming zoning of a parcel (Zoning can be confirmed without charge on Munisight ES)	\$50.00
Encroachment or License Agreement	\$500.00 or legal fees whichever is greater.
Road Closure	\$500.00 + cost of advertising
<b>OTHER</b>	
Business Licence	No Charge
<b>WITHDRAWALS OR REFUNDS</b>	
Development Permit Application Withdrawal	Before decision of Development Authority – 50% of Application Fee  After decision of Development Authority – No refund
New Statutory Plan or Plan Amendment Withdrawal	Prior to 1 <sup>st</sup> reading – 75% of Application Fee  Prior to advertising – 50% of Application Fee after Public Hearing

**SCHEDULE A**

	<p>After Public Hearing – No refund</p> <p>If the County incurs costs (planning, engineering, lawyer fees, etc.) – No refund</p>
<b>APPEAL FEES</b>	
Subdivision Appeal Fee	\$250.00
Development Appeal Fee	\$250.00
<b>PLANNING DOCUMENTS COPY FEES</b>	
Land Use Bylaw – Hard Copy	\$50.00
Municipal Development Plan – Hard Copy	\$50.00
Area Structure Plan – Hard Copy	\$25.00
USB drive with LUB / MDP / ASP(s) or any combination of more than 1 (one) Planning Document	\$ 25.00
<p><b>NOTE: The Planning Documents noted above are available electronically without charge on the County's website.</b></p>	