

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1345-19**

**A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA BEING A BYLAW OF SMOKY LAKE COUNTY TO ESTABLISH THE DEVELOPMENT AUTHORITY FOR SMOKY LAKE COUNTY.**

**WHEREAS** Section 624 of the *Municipal Government Act R.S.A. C m-26. 2000*, as amended, “the “Act”) required that a Municipal Council establish a Development Authority Bylaw.

**WHEREAS** the purpose of this bylaw is to establish the Development Authority.

**NOW THEREFORE** the Council of Smoky Lake County, in the Province of Alberta, hereby enacts as follows:

**1. NAME**

- 1.1. This Bylaw may be known as the Smoky Lake County “Development Authority Bylaw”.

**2. DEFINITIONS**

The following words and phrases mean:

- 2.1. “**Act**” means the Municipal Government Act, RSA 2000, c-M-26 and successive Acts and amendments thereto.
- 2.2. “**Council**” means the Reeve and Councillors duly elected in the Smoky Lake County and who are eligible to continue to hold office.
- 2.3. “**Development Authority**” means person(s) established under Section 3 herein to perform the duties and functions of a Development Authority under the Act.
- 2.4. “**Development Authority Officer**” or **Development Officer** means the person(s) occupying the position established under Section 4 herein.
- 2.5. “**Development Permit**” means a document authorizing a development, issued in accordance with the Land Use Bylaw, the Subdivision and Development Regulations and the Act.
- 2.6. “**Land Use Bylaw**” means the Land Use Bylaw of Smoky Lake County, pursuant to the Act.
- 2.7. “**Municipal Planning Commission**” means the Municipal Planning Commission established under the Bylaw of Smoky Lake County.
- 2.8. “**Regulations**” means the Regulations passed pursuant to the Act.
- 2.9. For questions of clarity, definition, or interpretation, it is the intent of this Bylaw to refer to Smoky Lake County Procedural Bylaw 1303-17 or subsequent equivalent.

**3. ESTABLISHMENT OF DEVELOPMENT AUTHORITY**

- 3.1. The Development Authority is hereby established.
- 3.2. The Development Authority shall be:
- 3.2.1. The Municipal Planning Commission of Smoky Lake County;
- 3.2.2. The Development Authority Officer of Smoky Lake County;
- 3.3. The Development Authority has those duties, powers, and functions as set out in the Act, the Land Use Bylaw, and this Bylaw, and any regulations made thereunder. These include:
- 3.3.1. The powers, duties, and functions of the Municipal Planning Commission (MPC) described in the Land Use Bylaw and Municipal Planning Commission Bylaw of Smoky Lake County.

3.3.2. The powers, duties, and functions of the Development Authority Officer described in the Land Use Bylaw of Smoky Lake County.

**4. ESTABLISHMENT OF DEVELOPMENT AUTHORITY OFFICER**

- 4.1. The position of designated officer for the limited purpose of exercising the powers, duties, and functions of a Development Authority Officer is hereby established.
- 4.2. The Development Authority Officer shall be appointed by a resolution of Council.
- 4.3. The powers, duties, and functions of the Development Authority Officer shall be those described for the Development Authority Officer in the Land Use Bylaw of Smoky Lake County and such additional powers as are described under the Act, Regulations, or this Bylaw.
- 4.4. The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice, or other thing made or given by it.

**5. SEVERABILITY**

- 5.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw is deemed valid and enforceable.

**6. REPEAL AND EFFECTIVE DATE**

- 6.1. Bylaw 994-95 shall be repealed upon the passing of this Bylaw.
- 6.2. This Bylaw shall come into force and effect on the final date of passing thereof.

READ A **FIRST TIME** IN COUNCIL THIS \_\_\_\_ day of \_\_\_\_, AD 2019.

READ A **SECOND TIME** IN COUNCIL THIS \_\_\_\_ day of \_\_\_\_, AD 2019.

READ A **THIRD AND FINAL TIME** IN COUNCIL THIS \_\_\_\_ day of \_\_\_\_, AD 2019.

\_\_\_\_\_  
Craig Lukinuk  
Reeve

**S E A L**

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Cory Ollikka  
Chief Administrative Officer