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**A BYLAW OF THE SUMMER VILLAGE OF ITASKA BEACH TO ESTABLISH A  
SUBDIVISION AUTHORITY**

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**WHEREAS**, pursuant to the provisions of Section 623 of the MGA (as defined below), each municipality is required to provide for a subdivision authority to exercise subdivision powers and duties on behalf of the municipality;

**NOW THEREFORE**, the Council (as defined below) duly assembled, enacts as follows:

**1. SHORT TITLE**

1.1 This Bylaw shall be known as the "Subdivision Authority Bylaw".

**2. DEFINITIONS**

2.1 Definitions used in this Bylaw, if not defined in this Bylaw, shall have the same meanings attributed to those definitions in the MGA.

2.2 In this Bylaw:

- a) "**CAO**" means the Chief Administrative Officer of the Summer Village;
- b) "**Council**" means the Council for the Summer Village;
- c) "**Land Use Bylaw**" means the land use bylaw passed by the Council and in effect in the Summer Village at the applicable time;
- d) "**MGA**" means the *Municipal Government Act, Revised Statutes of Alberta, 2000 Chapter M-26*;
- e) "**Subdivision Authority Agreement**" means the agreement pursuant to which the Summer Village appoints a third party to administer the subdivision approval process for the Summer Village, as such agreement may be amended or replaced from time to time; and
- f) "**Summer Village**" means the Summer Village of Itaska Beach.

### **3. GENERAL INTERPRETATION**

- 3.1 Headings or subheadings in this Bylaw are inserted for ease of reference and guidance purposes only and do not form part of this Bylaw.
- 3.2 Words in the singular include the plural and words in the plural include the singular.
- 3.3 Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference to the act, regulation, code or other bylaw includes any amendments thereto before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- 3.4 Each provision of this Bylaw is independent of, and severable from, all other provisions and if any provision is declared invalid or unenforceable for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 3.5 Nothing in this Bylaw relieves a person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or license.

### **4. ESTABLISHMENT OF SUBDIVISION AUTHORITY**

- 4.1 The subdivision authority is hereby established to exercise subdivision powers and perform the duties and responsibilities of a subdivision authority as set out in Section 623 of the MGA.
- 4.2 The powers and duties of the subdivision authority shall be exercised and carried out in accordance to the Land Use Bylaw, the Subdivision Authority Agreement and the MGA.
- 4.3 Unless otherwise decided by resolution of the Council from time to time, the administration of the subdivision approval process may be delegated to a third party in accordance with the Subdivision Authority Agreement.
- 4.4 Unless otherwise decided by resolution of the Council from time to time, the subdivision approval process shall be administered by the third party named in the Subdivision Authority Agreement in accordance with the Land Use Bylaw, the Subdivision Authority Agreement and the MGA.

## 5. ESTABLISHMENT OF FEES

- 5.1 The Agency is authorized to charge fees for administering the subdivision process. This is to be paid by the applicant for subdivision approval at rates determined by the Agency.

## 6. REPEAL

- 6.1 Bylaw No. 08-2020 is hereby repealed.

## 7. COMING INTO FORCE

- 7.1 This Bylaw shall come into full force and effect upon final passing.

**READ** a first time this 18<sup>th</sup> day of November, 2020.

**READ** a second time this 18<sup>th</sup> day of November, 2020.

**UNANIMOUS CONSENT** to proceed to third reading 18<sup>th</sup> day of November, 2020.

**READ** a third and final time this 18<sup>th</sup> day of November, 2020.

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David Alton, Mayor  
Summer Village of Itaska Beach

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June Boyda, Chief Administrative Officer  
Summer Village of Itaska Beach