

5/12/2009

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 94-002

Consolidated for convenience to include Bylaws 2000-063, 2000-353 and 2000-364

A BYLAW OF THE CORPORATION OF THE DISTRICT OF SUMMERLAND TO ESTABLISH AN ADVISORY PLANNING COMMISSION

WHEREAS Section 955 (1) of the Municipal Act, provides that Council may, by bylaw, establish an Advisory Planning Commission;

AND WHEREAS Council deems it desirable to establish an Advisory Planning Commission;

NOW THEREFORE, The Municipal Council of The Corporation of the District of Summerland hereby enacts as follows:

1. There is hereby established an Advisory Planning Commission which shall be known as the "Summerland Advisory Planning Commission" (hereinafter referred to as "the Commission");

Bylaw 2000-063 replaced the following section and then

Bylaw 2000-353 replaced the following section:

2. The Commission shall consist of ten members of which two thirds must be residents of the Municipality. Seven members shall represent a variety of community interests, two members shall be representatives of the agricultural industry, and one member shall be a representative of the School District. A member of Council, employee or officer of the Municipality is not eligible to be a member but may attend a meeting of the Commission in a resource capacity.
3. Members of the Commission shall be appointed by resolution of Council. The initial appointment of the terms for the commission shall be structured so that three members shall be appointed for three years, two members for two years; and two members for one year. All subsequent appointments shall be for three full year terms. At its first meeting in December in each year, the Council shall appoint the members of the Commission, each for a term of three years. Council may

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reappoint any member to the Commission for one additional term.

4. At any time, the Council may, by a vote of two thirds of Council, revoke the appointment of any member of the Commission.
5. Whenever a vacancy arises on the Commission, Council may appoint a person to fill the vacancy for the balance of the term.
6. In the event that a member of the Commission fails to attend three consecutive meetings of the Commission, the member's seat shall be deemed to be vacant unless he/she has been excused by resolution of the Commission.

Bylaw 2000-353 replaced the following section and then Bylaw 2000-364 further amended this section to read:

7. The duties of the Commission shall be to assist Municipal Council in an advisory capacity only to any of the following matters which may be presented to it:
 - any application to the Agricultural Land Commission which requires Municipal Council Approval;
 - amendments to the Official Community Plan;
 - applications for rezoning of lands;
 - applications for Temporary Commercial Use Permits and applications for Temporary Industrial Permits; and
 - any request which may be referred to it by Municipal Council.'
8. At its first meeting each year, the Commission shall choose from among its members a chairperson who shall preside over the meetings of the Commission and a vice chairperson who shall preside in the absence of the chairperson.
9. The Commission shall cause proper minutes to be kept of all its proceedings and meetings and those minutes shall be available to the public upon request.
10. The Municipality shall provide the Commission with a Recording Secretary who shall attend all Commission Meetings and shall record all decisions, and reasons for and against those decisions.
11. The execution of documents by the Commission shall be evidenced by the signatures of the Secretary plus one of the Chairperson or Vice Chairperson.
12. A majority of members of the Commission shall constitute a quorum.
13. The District Planner shall attend Commission Meetings in a resource capacity, and shall be responsible for the preparation of each meeting's agenda. Such agenda shall be available for each member of the Commission at least seven days before the date of each meeting.

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14. Where the Commission is reviewing an application, the applicant for the amendment or permit is entitled to attend at such meeting of the Commission to be heard.
15. The Commission shall hold regular meetings during each month at such time and place as may be fixed by resolution of the Commission. Additional meetings may take place as required.
16. A special meeting of the Commission may be called by the Secretary when he/she is requested in writing to do so by the Chairperson or by any three members. A notice of the day, hour and place of every special meeting shall be given at least 24 hours before the time of the meeting shall be given by leaving a copy of the notice for each member of the Commission at the place to which he/she has directed such notices to be sent.
17. The Commission shall advise Council on all matters considered by it by forwarding a report to the District Planner for consideration by Council at its next regular meeting. The report will highlight discussion, dissenting opinion and show the votes cast on each recommendation.
18. This bylaw may be cited for all purposes as the "Advisory Planning Commission Bylaw Number 94-002".
19. Bylaw Number 92-063 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME, by the Municipal Council this 28th day of December, 1993.

RECONSIDERED, FINALLY PASSED AND ADOPTED, by the Municipal Council of The Corporation of the District of Summerland this 10th day of January, 1994.

'Donald C. Cameron'
MAYOR

'George Redlich'
CLERK