

Development Appeal Board

THE RESORT VILLAGE OF WAKAW LAKE

Bylaw 07- 2012

A BYLAW TO APPOINT A DEVELOPMENT APPEALS BOARD

The Council of the Resort Village of Wakaw Lake, in the Province of Saskatchewan, enacts as follows:

1. **SHORT TITLE**
This Bylaw may be cited as the Development Appeal Board Bylaw
2. **PURPOSE:**
The Purpose of this Bylaw is to appoint a Board to deal with appeals of Council in respect to property within the municipality
3. **DEFINITIONS**
 - a) 'Municipality' means the Resort Village of Wakaw Lake
 - b) 'Council' means the Council for the Resort Village of Wakaw Lake
 - c) 'Property' means land or building or both
4. **REMUNERATION**
The board members shall receive remuneration as follows:
\$125.00 per meeting plus \$0.40/km for mileage
5. **DEVELOPMENT APPEALS BOARD:**
 - Murray Pulvermacher
 - Bill Ross
 - Jim Lucas
6. **BOARD DUTIES**
As per attached schedule 'A'





Mayor – Maurice Rivard



Administrator – Helen Martinka

Certified a true copy of Bylaw 07-12 of the Resort Village of Wakaw Lake, passed at a Regular meeting held July 11, 2012.



Administrator – Helen Martinka

SCHEDULE 'A'

(Refer to sections 213-227 of 'Planning and Development Act 2007')

1. Board Administration

- Term of office shall be three years
- Vacancies will be filled by appointment by resolution of Council
- Board shall choose a chairperson
- The board shall follow 'Roberts Rule of Parliament' to the best of their ability when conducting a meeting

Secretary and duties

- Council shall appoint the secretary whose term will be two years
- Secretary remuneration shall be \$125.00 per meeting plus \$0.40/km mileage
- The secretary will be responsible for recording minutes of any meetings required, send and receive correspondence pertaining to any appeal. All documents are to be stored at the Resort Village office.
- Any office expenses will be reimbursed by the Resort Village office upon Council approval and proof of expense (invoices/receipts)

Consultants

- If found necessary to assist in discharge its responsibilities, the board may appoint consultants subject to Council approval
- Council is responsible for payment of any related fee with respect to those appointments

2. Meetings

- Meeting and hearing of the board are at the call of the secretary in consultation with the chairperson

3. Conflict of Interest

- No member of the board may hear or vote on any decision that relates to any matter where there may be pecuniary interest if the member or someone in the member's family has a controlling interest as described in Subsection 2(2) and (3) of the 'Planning and Development Act 2007'

4. Requirements of Board

- Within 30 days of receiving a notice of appeal the board shall hold a public meeting
- No later than 10 days before the fixed date for the hearing the board shall by personal service, ordinary mail, or registered mail give notice to : the appellant, the owner and appellant are not the same person, council, the assessed owners of property within 75 meters of the boundary of the appellant's land that is subject of the appeal and other owners of property required to be notified according to the Zoning Bylaw

- Any notice sent by ordinary mail within the municipality is deemed to be received on the third day after it was mailed, and on the fourth day if it was mailed outside the municipality
- The secretary is to file a statutory declaration stating that the letter was properly addressed and mailed with postage paid and the date the letter was mailed

5. Additional material required

- The appellant shall no later than 5 days before the hearing date, file with the secretary of the board all supporting documentation that are intended to be submitted in support of the appeal
- If required by the board, the council or anyone acting on behalf of the council shall submit no later than 5 days prior to the hearing the original or true supporting documents in its possession relating to the subject of matter to the board
- All documents shall be made available for inspection prior to the meeting

6. Conduct of hearing

- The hearing must be open to the public
- The board shall hear any of the parties mentioned in section(4) or any other person affected by the appeal that wishes to speak for or against the appeal
- The chairperson or the alternate may administer the oaths and affirmations
- The board may adjourn any hearing or reserve its decision as it considers advisable
- The board shall keep written record of the proceeding in summary form of evidence heard
- The written record is public information

7. Decision of the Board

- The board shall render its decision in writing together with reasons for the decision within 30 days after conclusion of the hearing as per Section 225 of the ‘Planning and Development Act 2007’
- This decision may be appealed to the Saskatchewan Municipal Board within 20 days of receiving the decision of the board (Section 226 of the Planning and Development Act 2007)
- Within 10 days of receiving a copy of the notice of appeal the board shall forward all records of the board pertaining to the case to the Saskatchewan Municipal Board