

**CITY OF PORT ALBERNI**

**BYLAW NO. 4738**

**A BYLAW TO ESTABLISH AN ADVISORY PLANNING COMMISSION**

**WHEREAS** Section 898 of the *Local Government Act*, RSBC 1996, Chapter 323 provides that:

1. A Council may, by bylaw establish an Advisory Planning Commission to advise Council on all matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*, RSBC 1996; and
2. The bylaw establishing an Advisory Planning Commission must provide for:
  - (a) the composition of and the manner of appointing members to the Commission;
  - (b) the procedures governing the conduct of the Commission; and
  - (c) the referral of matters to the Commission.

**THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF PORT ALBERNI, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:**

**1. Title**

This bylaw may be known and cited for all purposes as the "**Advisory Planning Commission Bylaw, 2009, Bylaw No. 4738**".

**2. Interpretation**

In this bylaw:

- (a) "City" means the City of Port Alberni; and
- (b) "Council" means the Council of the City of Port Alberni.

**3. Establishment and Name of the Advisory Planning Commission**

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

**4. Composition of the Commission**

The Commission shall be comprised of nine members appointed by Council for two year terms as follows:

- (a) one member representing the Hupacasath First Nation;
- (b) one member representing the Tseshaht First Nation;
- (c) one member representing the Board of School District No. 70 (Alberni);  
and
- (d) six members representing the community-at-large.

**5. Appointments to the Commission**

- (a) Members of the Commission appointed under Section 4 of this Bylaw shall not be appointed to more than three consecutive terms.
- (b) Appointment of the six members representing the community at large shall be staggered with three appointed in odd numbered years and three appointed in even numbered years.
- (c) Each member of the Commission shall hold office at the pleasure of the City, and except as provided in Section 7 the term of office shall commence January 1<sup>st</sup> and terminate on December 31<sup>st</sup>. A member's term may hold over for a maximum of 2 months pending the naming of a successor. If a successor is not named within the said 2 months the office shall be deemed vacant.
- (d) Council shall appoint a Councillor to serve as a non-voting liaison member of the Commission.
- (e) All members of the Commission shall serve without remuneration, but may be paid reasonable and necessary expenses that arise out of the performance of their duties.

**6. Vacancies**

An appointment to fill a vacancy on the Commission shall be for the unexpired term of the member creating the vacancy.

**7. Liaison Members**

Council may appoint non-voting liaison members to advise the Commission which may include representatives from the RCMP, Fire Department and other agencies.

**8. Procedures Governing the Commission**

The Commission is governed by the City's "Council Procedures Bylaw", No. 4547.

**9. Referrals to the Advisory Planning Commission**

The Commission is hereby empowered to advise Council on all matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9, and 11 of Part 26 of the *Local Government Act*, RSBC 1996, and shall make recommendations to Council on all matters referred to it by Council.

**10. Transitional**

Provisions of this Bylaw shall not affect the unexpired term of office of those members appointed to the Commission prior to the adoption of this Bylaw.

**11. Repeal**

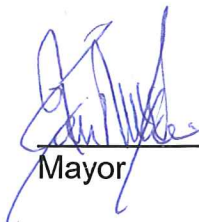
"Advisory Planning Commission Bylaw, 2001" No. 4497 and "Advisory Planning Commission Bylaw, Amendment No. 1 Bylaw", No. 4536 are hereby repealed.

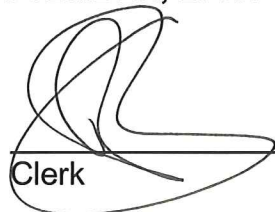
**READ A FIRST TIME THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2009.**

**READ A SECOND TIME THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2009.**

**READ A THIRD TIME THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2009.**

**FINALLY ADOPTED THIS 23<sup>RD</sup> DAY NOVEMBER, 2009.**

  
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Mayor

  
\_\_\_\_\_  
Clerk