

**BYLAW NO. 15-05  
TOWN OF FALHER**

A BYLAW OF THE TOWN OF FALHER, IN THE PROVINCE OF ALBERTA TO PROVIDE TO AMEND BYLAW NO. 14-05, BEING THE FALHER LAND-USE BYLAW.

**WHEREAS** the Council of the Town of Falher, in the Province of Alberta has adopted the Bylaw No. 14-05, being the Land Use Bylaw; and

**WHEREAS** the Council, pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, deems it advisable to amend the said Bylaw.

**WHEREAS** the Council of the Town of Falher, in the Province of Alberta, deems it necessary to amend the Town of Falher Land Use Bylaw to remove the Municipal Planning Commission as a Development Authority for the Town, and;

**NOW THEREFORE**, the Council of the Town of Falher, in the Province of Alberta duly assembled hereby enacts as follows:

1. **Remove the definition for “Municipal Planning Commission” from Section 1.5**
2. **Remove from the definition for “Development Authority”, in Section 1.5, the following:**
  - (b) The Municipal Planning Commission
3. **Replace Section 3.2.3 with the following**

The Development Officer shall consider and decide on applications for Development Permits which constitute as discretionary uses within a District, other than Direct Control.
4. **Replace Section 3.2.4(b) with the following subsection:**
  - (b) at the Development Officer's discretion, may refer to Council for comments, any application for a permitted or discretionary use.
5. **Replace Section 3.2.5 with the following:**

Notwithstanding Section 3.2.4(b), the Development Officer shall refer a Development Permit application for a Licensed Medical Marihuana Production Facility to Council for comments prior to making a decision.
6. **Replace Section 3.3.3(b) & (c) with the following subsection:**
  - (b) any other development standard – 10%
7. **Add the following Section**

3.3.6 Notwithstanding Section 3.3.3, the Development Officer may, after obtaining advice from Council, may allow the any or all of the following variances:

  - (a) Development setback requirements – 30%
  - (b) Any other development standard – 20%
8. **Remove Section 3.4 in its entirety**
9. **Renumber Sections 3.5, 3.6, & 3.7 to reflect the removal of Section 3.4**
10. **Replace Section 6.28.8 with the following:**

The Development Officer may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional, which includes but not limited to, details on:

  - (a) the incineration of waste products and airborne emissions, including smell;
  - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material. liquid and waste material discharged by the facility.
11. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.
12. This bylaw shall come into force and have effect on the date of third and final reading.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR