

## **PART IV – APPEAL AND AMENDMENT**

### **SECTION 26 APPEALS AND PROCEDURES**

- 26.1 In accordance with the Act, any person receiving a decision on a development permit or any other person affected by any order, decision or development permit made or issued by an approval authority, may appeal to the Subdivision and Development Appeal Board.
- 26.2 A fee as set by Council shall accompany each notice of appeal.
- 26.3 Any decisions made by Council with respect to a Direct Control district are not subject to appeal to the Subdivision and Development Appeal Board.
- 26.4 If the Subdivision and Development Appeal Board upholds an appeal brought before it, pursuant to this Section of the bylaw the Subdivision and Development Appeal Board may determine that the appeal fee, or a portion of the appeal fee, levied in accordance with Section 26.2 be returned to the appellant.
- 26.5 A decision made under this part of the bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to section 688 of the Municipal Government Act.

### **SECTION 27 APPLICATION TO AMEND BYLAW**

- 27.1 Subject to the Act, any Section or Part of this bylaw may be amended in accordance with Section 27 of this bylaw.
- 27.2 Any person applying to have this bylaw amended shall apply in writing to the Development Officer, using the application form provided by the Municipal District of Pincher Creek, and request that the Development Officer submit the application to the Council, which request shall be responded to within ninety (90) days.
- 27.3 As part of the application referred to in Section 27.2, the applicant must provide the following information, if Council deems it applicable:
- (a) reasons in support of the application;
  - (b) the use to be made of the land that is the subject of the application;
  - (c) the program of land servicing; and
  - (d) information as required in the Municipal Development Plan.
- 27.4 A person making an application to amend this bylaw for a purpose other than the clarification of an existing provision of this bylaw may be required to:
- (a) pay the Municipal District of Pincher Creek an application fee as set by Council;
  - (b) undertake in writing on a form provided by the Municipal District of Pincher Creek to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the Municipal District of Pincher Creek may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and