



Clear Hills County

Effective Date: **May 26, 2009**

Policy Number: **6101**

Title: **DEVELOPMENT APPEAL BOARD HEARING PROCEDURES**

1. Policy Statement

- 1.1. Clear Hills County will establish procedures for the conduct of hearings on the appeal of development matters by the Development Appeal Board appointed by Council and any other type of hearing with the necessary modifications.

2. Procedures for Conduct of Hearings on the Appeal of Development Matters

- 2.1. The Chair of the Board shall open the hearing and shall cause the purpose of the hearing to be announced.
- 2.2. All statements and comments made to the Board and all questions by members of the Board shall be addressed to the Chair of the Board.
- 2.3. The Development Officer will make a presentation explaining what development was proposed, where it is and the reasons for the development approval or refusal decision by the Development Officer or the Municipal Planning Commission.
- 2.4. The appellant, or their representative, will make a verbal presentation explaining to the Board why the Board should support the appeal by the appellant. If a number of people are appealing the same development, a spokesperson may be appointed to represent the group. All persons represented by the spokesperson should be recorded in the minutes.
- 2.5. If letters supporting or opposing the appeal have been obtained from neighbours, the Chair of the Board must be advised so that the letters can form part of the appeal record. Where persons other than the writer of the letter are present appropriate sections of each letter shall be read.
- 2.6. Questions for clarification may be asked by the Board members.
- 2.7. Persons supporting the appeal will be asked to add any final statements.
- 2.8. Persons opposing the appeal will be asked to add any final statements.
- 2.9. Final questions from the Board members may be asked.
- 2.10. A final statement from the appellant will be requested by the Chair of the Board, the appellant may decline if they believe that no further statement is

necessary.

- 2.11. The Chair of the Board may recess the hearing to undertake confidential discussions on a decision, or if further deliberation and/or information is required on the matter, recess the hearing to another time certain.
- 2.12. The Chair of the Board may close the hearing and advise that a decision will be forwarded in writing at a later date, or may cause the decision to be announced before closing the hearing.
- 2.13. If a verbal decision of the Board was given the day of the hearing, the decision may be given verbally to anyone who telephones the Board secretary on the next business day following the decision.
- 2.14. The Board issues its decision to the appellant and anyone who is in attendance at the hearing in writing with reasons within 15 days after the hearing, such decision to be signed by the Board secretary. Any other person who wants a written copy of the decision must request a copy from the Board secretary. Until the decision is issued in writing, it is not official and cannot be acted upon.

3. End of Policy

ADOPTED

Resolution #C186-03

Date: March 25, 2003

AMENDED

Resolution #C876-03

Date: November 25, 2003

AMENDED

Resolution #C419(05/26/09)

Date: May 26, 2009

AMENDED

Resolution #C860(12/09/14)

Date: December 9, 2014