

THE RURAL MUNICIPALITY OF ROSSER

BY-LAW NO 7-23

BEING A BY-LAW TO ESTABLISH THE POSITION OF DESIGNATED OFFICER FOR
PLANNING FOR THE RURAL MUNICIPALITY OF ROSSER FOR THE INLAND PORT
SPECIAL PLANNING AREA

WHEREAS *The Municipal Act*, C.C.S.M. c. M225 provides:

129 A chief administrative officer may delegate to a designated officer or other employee of the municipality a power, duty or function given to the chief administrative officer under a by-law or this or any other Act, unless the by-law or Act prohibits the delegation.

130 A council may by by-law establish one or more positions to carry out the powers, duties and functions of a designated officer under a by-law or this or any other Act, and may give each such position any title the Council considers appropriate.

131 A designated officer may delegate to an employee of the municipality a power, duty or function given to the officer under a by-law or this or any other Act, unless the by-law or Act prohibits the delegation.

AND WHEREAS under Section 11(1) of *The Planning Act*, C.C.S.M. c. P80, the lands depicted as Rosser CentrePort Lands in Schedule "A" of this By-Law have been designated as the Inland Port Special Planning Area;

AND WHEREAS Section 184 of *The Planning Act* provides:

184 When a provision of this Act refers to a designated employee or officer, a regional planning board, the board of a planning district or the council of a municipality may, by by-law, designate an employee or officer of the region, district or municipality, as the case may be, to carry out the power or responsibility;

AND WHEREAS Section 12.15(1) of *The Planning Act* provides:

12.15(1) The minister may designate a person for the purpose of enforcing
(a) by-laws adopted under this Part respecting a special planning area; and
(b) the terms and conditions of permits, approvals and orders made or issued under this Part respecting a special planning area.

AND WHEREAS under Section 12.15(1)(a) of *The Planning Act*, effective June 17, 2020, the Minister of Municipal Relations has designated Larry Wandowich, Chief Administrative Officer of the Rural Municipality of Rosser, for the purpose of enforcing the by-laws set out in the Inland Port Special Planning Area Regulation 48/2016.

AND WHEREAS the Council of the Rural Municipality of Rosser (the "Municipality") desires to establish a designated officer position for planning and enforcement purposes within the Inland Port Special Planning Area.

NOW THEREFORE the Council of the Rural Municipality of Rosser enacts:

1. THAT the position of Planning Officer be established as a designated officer position for the Municipality;
2. THAT the Planning Officer be authorized to carry out any power, duty, function, or responsibility within the Inland Port Special Planning Area as may be delegated from time to time by the Chief Administrative Officer of the Municipality;
3. THAT the Planning Officer may not delegate a power, duty, function, or responsibility under this By-Law;

4. THAT the Council of the Municipality may appoint any person to the position of Planning Officer by resolution; and
5. THAT this By-Law shall come into force and take effect upon third reading and passing of this By-Law.

DONE AND PASSED as a By-Law of the Rural Municipality of Rosser in the Province of Manitoba, this 22 day of Aug, 2023.

RURAL MUNICIPALITY OF ROSSER



Kenneth Mulligan, Reeve



Larry Wandowich, Chief Administrative Officer

RECEIVED First Reading Aug 8, 2023

RECEIVED Second Reading Aug 8, 2023

RECEIVED Third Reading Aug 22, 2023

SCHEDULE "A" TO BY-LAW NO. 7-23

