

BYLAW 1147/09
TOWN OF HARDISTY

**BEING A BYLAW OF THE TOWN OF HARDISTY IN THE PROVINCE OF ALBERTA, TO
AMMEND THE LAND USE BYLAW OF THE TOWN OF HARDISTY BY**

WHEREAS the Municipal Government Act S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Hardisty wishes to amend the Land Use Bylaw.

NOW THEREFORE the Council of the Town of Hardisty, duly assembled, enacts as follows:

1. Bylaw No. 1139/09, the Land Use Bylaw of the Town of Hardisty, is hereby amended as follows:

A. Delete Section 7.14, subsections (2) through (5) and replace with:

(2) No person shall keep or permit in a yard adjacent to a dwelling, on a recreational vehicle site or in a recreational vehicle stall either:

- (a) a propane tank that is larger than 68.2kg (150 lbs.);
- (b) more than four (4) propane tanks; or
- (c) any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs)

without first obtaining a development permit.

(3) Notwithstanding Subsections (1) above, on residential lots which are:

- (a) greater than 1.2 ha (3 ac.) in area; and
- (b) where the proponent can prove to the satisfaction of the Development Authority that the location and use of the propane tanks meets acceptable fire code and safety standards;

the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a capacity which exceeds 91.0 kg (200 lbs.) to be located on a residential lot.

(4) Notwithstanding Subsections (1), above, in the Direct Control Park District, Commercial Districts, and Parks and Recreation District, where the applicant for a development permit can prove to the satisfaction of the Development Authority that the location and use of the proposed propane tanks meets acceptable fire code and safety standards as well as emergency response requirements, the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 91.0 kg (200 lbs.) to be located either;

- (a) within a individual lot; or
 - (b) within each recreational vehicle stall located in an approved campground/recreational trailer park.
- (5) All development applications to allow more than four (4) propane tanks, or any number of propane tanks with a total capacity which exceeds 91.0 kg (200 lbs.), to be located within individual stalls in approved campground/recreational trailer park will be required to include an Emergency Response Plan, prepared by the developer, at no cost to the Municipality. The Emergency Response Plan will be circulated to the Town's Fire Department for approval prior to the issuance of a development permit.

D. Insert the following as Subsection 7.14 (6)

- (6) Development permit applications for more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 91.0 kg (200 lbs.) must be submitted annually.

E. Delete definition (123) in Section 2.0 Interpretation and replace with:

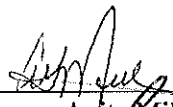
- (123) "stall" means an area of land upon which a manufactured home is to be located, and which is reserved for the exclusive use of the residents of that particular manufactured home, located within a manufactured home park; or an area of land within an approved campground or recreational vehicle park upon which a recreational vehicle is to be temporarily located, and which is reserved for the exclusive use of the residents of that particular recreational vehicle;

This bylaw shall come into force and take effect upon receiving third reading.

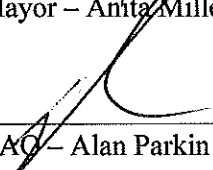
READ A FIRST TIME IN COUNCIL THIS 14th DAY OF OCTOBER 2009,

READ A SECOND TIME IN COUNCIL THIS 14th DAY OF OCTOBER 2009,

READ A THIRD TIME IN COUNCIL THIS 14th DAY OF OCTOBER 2009.



Mayor – Anita Miller



CAO – Alan Parkin

