

BYLAW 870

A BYLAW OF THE TOWN OF REDWATER, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING COMMUNITY STANDARDS AND CONTROLLING AND REDUCING NUISANCES AND UNSIGHTLY CONDITIONS AND INCLUDING LIMITATIONS OF PUBLIC USE OF CANNABIS AND TOBACCO WITHIN THE TOWN OF REDWATER.

WHEREAS, under the authority of the *Municipal Government Act*, being Chapter M-26 the Revised Statutes of Alberta as amended or repealed or replaced from time to time, a Council may pass bylaws respecting the following matters:

- a) the safety, health and welfare of people and the protection of people and property;
- b) nuisances, including unsightly properties;
- c) clearing of all snow, ice, dirt and other obstructions from the sidewalks situated on land adjoining the property owned or occupied by them;
- d) people, activities or things in, on or near a public place or place that is open to the public; and
- e) the enforcement of bylaws within the Town of Redwater

AND WHEREAS, under the authority of the *Safety Codes Act*, being Chapter S-1 of the Revised Statutes of Alberta as amended or repealed or replaced from time to time, a Council may pass bylaws regarding maintenance standards for buildings and other structures;

AND WHEREAS, under the authority of the *Gaming, Liquor and Cannabis Act*, being Chapter G-1 of the Revised Statutes of Alberta as amended or repealed or replaced from time to time, a Council may pass bylaws to regulate, restrict or prohibit smoking and vaping of cannabis;

AND WHEREAS, under the authority of the *Tobacco and Smoking Reduction Act*, being Chapter T-3.8 of the Revised Statutes of Alberta as amended or repealed or replaced from time to time, a Council may pass bylaws to regulate, restrict or prohibit smoking of tobacco.

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

1. NAME

- 1.1. This Bylaw shall be cited as the "**Community Standards Bylaw**".

2. ENFORCEMENT

- 2.1. The Town of Redwater is not required to enforce this Bylaw or parts of this Bylaw. In deciding whether to enforce this Bylaw or parts of this Bylaw the Town may take into account any practical concerns, including available municipal budget and personnel resources.

3. DEFINITIONS

- 3.1. "**Boulevard**" means that part of a Highway that:

- 3.1.1. is not a roadway, and

- 3.1.2. is that part of the Sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
- 3.2. **"Building"** means anything constructed or placed on, in, over or under land but does not include a Highway.
- 3.3. **"Cannabis"** means Cannabis as defined in the *Cannabis Act*.
- 3.4. **"Chief Administrative Officer"** means the individual appointed as such under the *Municipal Government Act* R.S.A. 2000, c. M-26 as amended or repealed and replaced from time to time and regulation there under, by Council, also known as the "Town Manager"
- 3.5. **"Council"** means the Council of the Town of Redwater.
- 3.6. **"Electronic Smoking Device"** means a handheld device containing a liquid that is vapourized and inhaled and includes but is not limited to electronic cigarettes, e-cigarettes, vapourizer cigarettes, personal vapourizers, and electronic nicotine and electronic cannabis delivery systems;
- 3.7. **"Fire"** means any combustible material in a state of combustion.
- 3.8. **"Fire Chief or District Chief"** means a Manager of Redwater Fire Department who performs the duties and responsibilities as outlined in this or the Fire Bylaw.
- 3.9. **"Fire Department"** means the Town department duly appointed as the Fire Department by Council
- 3.10. **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of them, whether public or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
- 3.8.1. a sidewalk including a boulevard adjacent to the sidewalk;
- 3.8.2. if a ditch lies adjacent to and parallel with the roadway, the ditch; and
- 3.8.3. if a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the roadway, as the case may be but does not include a place by regulation not to be a Highway.
- 3.11. **"Land Use Bylaw"** means the Town's Land Use Bylaw, as amended.
- 3.12. **"Motor Vehicle"** means a vehicle propelled by any power other than muscular power.
- 3.13. **"Occupier"** means a Person occupying Property, including a lessee or licensee, who has actual use, possession or control of the Property.



- 3.14. **"Owner"** means the registered Owner of Property shown as the Owner of a parcel of land on the Town assessment roll prepared by the Town pursuant to the *Municipal Government Act*.
- 3.15. **"Parking Space"** means an area set aside for the parking of one (1) vehicle and as provided for in the Land Use Bylaw.
- 3.16. **"Person"** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative.
- 3.17. **"Peace Officer"** means:
- 3.17.1. a member of the Royal Canadian Mounted Police;
 - 3.17.2. a member of a municipal police service;
 - 3.17.3. a Community Peace Officer where under that person's appointment as a Community Peace Officer that person is empowered to carry out the duties of a Peace Officer, or
 - 3.17.4. a Bylaw Enforcement Officer who is appointed by the CAO of the Town of Redwater.
- 3.18. **"Property"** means real Property and any Building and improvements thereon.
- 3.19. **"Public Place"** means any Property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation; whether on payment of any fee or not and, without in any way restricting the foregoing, includes:
- (i) all or any part of a building;
 - (ii) an outdoor place or area;
 - (iii) a bus, taxi or other vehicle that is used to transport members of the public for a fee;
- 3.20. **"Sidewalk"** means that part of a Highway especially adapted to the user or ordinarily used by pedestrians and includes that part of a Highway between the curb line, or where there is no curb line, the edge of the Highway and the adjacent Property line whether or not it is paved or improved.
- 3.21. **"Smoke"**, where used as a verb in respect of Cannabis or a Tobacco Product, means inhaling or exhaling the smoke produced by lit Cannabis or a Tobacco Product or holding or otherwise having control of lit Cannabis or a Tobacco Product or any device or thing that contains lit Cannabis or a Tobacco Product;
- 3.22. **"Tobacco Product"** has the meaning given to it in the *Tobacco and Smoking Reduction Act*;
- 3.23. **"Town"** means the Municipal Corporation of the Town of Redwater.
- 3.24. **"Vape"**, where used as a verb in respect of Cannabis or a Tobacco Product, means inhaling or exhaling the vapour, emissions or aerosol produced by, or holding or otherwise having control of, an Electronic Smoking Device containing Cannabis or a Tobacco Product;



- 3.25. **"Vehicle"** means a device in, on or by which a person or thing may be transported, drawn or pulled and included a combination of Vehicles but does not include a mobility aide.
- 3.26. **"Violation Tag"** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* R.S.A. 2000, c. M-26 as amended or repealed and replaced from time to time and regulation there under.
- 3.27. **"Violation Ticket"** means a ticket issued pursuant to the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time and regulations there under.
- 3.28. **"Weed"** means any plant designated as either a noxious weed or prohibited noxious weed in accordance with the *Weed Control Act*, R.S.A, c. W-5.1 as amended or repealed and replaced from time to time and regulations there under.

4. INTERPRETATIONS

- 4.1. An Owner is ultimately responsible for all activities on their Property which may constitute an infraction of this bylaw.
- 4.2. Nothing in this bylaw relieves a Person from complying with any Federal or Provincial statute or regulation.
- 4.3. Marginal notes and heading in this bylaw are for reference purposes only.

5. PROPERTY MAINTENANCE/LAND AND BUILDINGS

- 5.1. For the purpose of this part, a Person who is the Owner or Occupier shall be considered to occupy the Boulevard and Sidewalks immediately adjacent to their Property.
- 5.2. A Person shall not cause or permit a nuisance or unsightly condition to exist on Property they own or occupy.
- 5.3. A nuisance or unsightly condition in respect of Property means Property that shows serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, including but not limited to:
- 5.3.1. excessive accumulation of material including Building materials, appliances, household goods, boxes, tires and vehicle parts whether of apparent value or not;
- 5.3.2. loose litter, garbage, refuse or animal feces, whether located in a storage area, collection area or elsewhere on the Property;
- 5.3.3. unkempt grass or Weeds;
- 5.3.4. any excavation, depression, drain or ditch, watercourse, pond, surface water or other matter or thing that may be dangerous to the public safety or health;
- 5.3.5. production of any generally offensive odor originating from the Property;



- 5.3.6. any tree, shrub, other type of vegetation or any structure that:
 - 5.3.6.1. interferes or could interfere with any public work or utility;
 - 5.3.6.2. obstructs any Sidewalk or Highway adjacent to the Property; or
 - 5.3.6.3. impairs visibility required for safe traffic flow at any intersection adjacent to the Property;
- 5.3.7. the failure to keep Property in a reasonable state of repair and shows significant deterioration of Buildings, structures, fences or improvements or portions of Buildings, structures or improvements.
- 5.4. In the case of salvage yards, auto wreckers or other businesses which by their nature appear to be untidy or unsightly, the Property shall be obscured from view by approved screening from surrounding Properties.
- 5.5. In the case of private or general contractors during the construction, renovation or demolition of a Building, the Property shall be kept in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public Property.
- 5.6. No more than two (2) dilapidated, derelict or inoperable Motor Vehicles, whether or not insured or registered, may be allowed on any Property and includes the Owner or Occupier's Property. Such Motor Vehicles shall be covered by a tarpaulin or placed in an approved structure in accordance with the Land Use Bylaw.
- 5.7. Notwithstanding Section 5.6, Motor Vehicles that may be considered dilapidated or derelict due to an incident or accident, may be stored on a Property but for no more than 14 days.
- 5.8. At no time shall Motor Vehicles referred to in Sections 5.6 and 5.7 be stored in any front yard other than in a parking area that is for the purpose of providing vehicular access from a road to an on-site parking space where Motor Vehicles are intended to be parked.
- 5.9. At no time shall a Vehicle be parked or stored in the front yard of a Property wholly or partially on turf, lawn, dirt, gravel or other non-hard surfaced areas that is not for the purpose of providing vehicular access from a road to an on-site parking space where Motor Vehicles are intended to be parked to the maximum of three (3) Parking Spaces.

6. UNOCCUPIED BUILDINGS

- 6.1. If a Building normally intended for human habitation is unoccupied, any and all doors and window openings in the Building shall be secured in a manner sufficient to prevent unauthorized entry into the Building while at the same time not detracting from the appearance of the Building.

7. WATER, EAVES TROUGHS, DOWNSPOUTS

- 7.1. No Owner or Occupier of a Property shall allow a flow of water from a hose or similar device on the Property to be directed toward an adjacent Property.



- 7.2. An Owner or Occupier of a Property shall direct any rainwater, downspout or eaves trough on the Property towards the:
- 7.2.1. Front of the Property;
 - 7.2.2. Rear of the Property;
 - 7.2.3. Side yard which does not abut another Property; or
 - 7.2.4. A side yard which abuts another Property only if there is a minimum of 6 (six) meters of permeable ground between the outfall of the downspout or eaves trough and the adjacent Property.

8. SNOW, ICE, DEBRIS OR OBSTRUCTION

- 8.1. The Owner or Occupier of any Property adjacent to a Sidewalk is responsible for the removal of all ice and snow the full width of the sidewalk, from that portion of the Sidewalk within Forty Eight (48) hours of a snow fall or rain fall.
- 8.2. Where an Owner or Occupier anticipates being absent, the Owner or Occupier must make arrangements to ensure the Sidewalks are maintained in accordance with this bylaw.
- 8.3. No Person shall remove snow, ice, dirt, debris or other materials from any Sidewalk or Property and place such items:
- 8.3.1. onto any portion of a Highway other than an adjacent Boulevard;
 - 8.3.2. onto any other Public Place adjacent to such Property; or
 - 8.3.3. onto any Property other than their own unless permission is obtained.
- 8.4. Notwithstanding section 8.3., an Owner or Occupier of a Property indicated in Schedule "B" of this bylaw may remove snow from the Sidewalk abutting their Property onto the roadway of the Highway abutting their Property.
- 8.5. An Owner or Occupier of a Building abutting or within three (3) meters of any Highway or public place, shall remove snow or ice that has accumulated on the roof, eaves or awning to the extent that a danger or risk is created to the public passing or the Property of others. The corrective action shall be undertaken immediately with due care for the warning and safety of public passing or the Property of others.
- 8.6. If water drips from a Building or awning upon a Sidewalk or Highway, the Owner or Occupier of the Property shall clean the Sidewalk or Highway portion thereof to prevent ice from forming thereon.
- 8.7. No Person shall place any goods, wares, merchandise or any other article upon a Sidewalk or Highway outside any shop, warehouse or other Building so as to obstruct or cause a hazard to pedestrian or vehicular traffic.



- 8.8. Any sign, notice or other object placed on or beside a Highway or other public lands, shall be removed without notice or warning to the Person or Persons erecting it unless placement of the object is authorized pursuant to the Land Use Bylaw
- 8.9. Where an Owner or Occupier fails to comply with section 8.1, the Town may cause the Sidewalk to be cleared of any snow or ice at the expense of the Owner or Occupant. In default of payment the amount owed may be added to the tax roll for the Property and shall form a special lien against the Property and shall be collected in like manner as Property taxes.

9. OUTDOOR FIRES

- 9.1. In this part a fire hazard means a possible source of danger or risk of injury or harm by fire to a Person or Property.
- 9.2. Where the Fire Chief or a Peace Officer determines a fire hazard to exist, they may order the Owner or Occupier to reduce or remove the hazard within a fixed time.

10. FIRE PIT STANDARDS

- 10.1. In this part a fire pit means an outdoor receptacle used for recreational fire that meets the following specifications:
 - 10.1.1. The location is at least 3.0 meters (9.84) feet from any Building, Property line or combustible material;
 - 10.1.2. The opening does not exceed 82 cm (32 inches) in width or in diameter;
 - 10.1.3. The installation has enclosed sides made of non-combustible material;
 - 10.1.4. It has spark arrester mesh screen cover with an opening no larger than 1.25 cm (1/2 inches);
 - 10.1.5. Is not located over any underground utilities or under any above ground wires.
- 10.2. When using a fire pit there shall be no burning of grass, weeds, tree limbs, garden refuse, garbage or other material and not anything in contrary of federal, provincial or municipal legislation or regulations.
- 10.3. Every Owner or Occupier who builds, ignites or allows a fire in an approved fire pit must ensure that:
 - 10.3.1. Only dry or seasoned wood intended for recreational purposes is used;
 - 10.3.2. A means of extinguishing the fire is kept on hand at all times while the fire is burning;
 - 10.3.3. The flames from the fire do not exceed 1 meter in height at any time;



10.3.4. The fire is supervised at all times by a responsible person;

10.3.5. Prior to leaving the fire, the fire is extinguished completely, leaving only cold ashes.

11. FIRE BAN

11.1. Notwithstanding any provision of this or any other bylaw the Fire Chief or their designate may declare a partial or complete ban or restriction on burning of any kind within the Town Limits.

12. NOISE

12.1. Except to the extent it is allowed by this bylaw, no Person shall make, continue, cause or allow to be made or continued any loud, unnecessary or unusual noise which annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other Persons within the limits of the Town.

12.2. Domestic Noise: No Person shall operate a power or hand mower or chainsaw in a residential area unless:

12.2.1. It is between the hours of 8:00 a.m. and 10:00 p.m., Monday to Friday; or

12.2.2. It is between the hours of 9:00 a.m. and 9:00 p.m., Saturday, Sunday and statutory holidays.

12.3. Model Air Craft: no Person shall operate a model aircraft driven by an internal combustion engine of any type in a residential area except during the hours describe in Section 12.2.1. and 12.2.2.

12.4. Snow clearing device: no Person shall operate a snow clearing device powered by an engine of any type in a residential area except during the hours as described in Section 12.2.1 or 12.2.2.

12.5. Construction Noise

12.5.1. No Person shall carry on construction activities of any type which involves hammering, sawing or the use of any mechanical tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on in any district other than one designated in the Land Use Bylaw as an Agricultural District or an Industrial District unless it is between the hours of 7:00 a.m. and 10:00 p.m., Monday to Friday or 9:00 a.m. and 9:00 p.m., Saturday, Sunday and statutory holidays.

12.5.2. The provision of the section does not apply to any work of an emergency nature.

13. SMOKING AND VAPING REGULATIONS

13.1 Subject to Section 13.2, no Person may Smoke or Vape Cannabis in a Public Place



13.2 A person who is entitled to possess cannabis pursuant to a medical document issued pursuant to the *Access to Cannabis for Medical Purposes Regulations* (Canada) may smoke or vape cannabis in accordance with

13.2.1 that medical document,

13.2.2 the *Gaming, Liquor and Cannabis Act*, and

13.2.3 Section 13.3 of this Bylaw

13.3 Upon demand of a Peace Officer, the holder of a prescription to consume Cannabis must present proof of the prescription permitting the consumption in the manner it is being consumed.

13.4 No person may Smoke or Vape a Tobacco Product within **10 meters** of a doorway, window or air intake of any of the following public places:

13.4.1 Pembina Place

13.4.2 Town of Redwater Library

13.4.3 Town of Redwater Museum

13.4.4 Town of Redwater Administration Office

13.4.5 Town of Redwater Swimming Pool

14. STANDARDS FOR PUBLIC ACTIVITIES

14.1. A person shall not urinate or defecate in a Public Place, except in a facility designed and intended for such use.

14.2. A person shall not leave any litter, garbage or other refuse in a Public Place, except in a receptacle designed and intended for such use.

15. MISCELLANEOUS RESTRICTIONS AND PROHIBITIONS

15.1. The Owner or Occupier is responsible for any object or good disposed of or from the Property onto any portion of a Highway.

15.2. A Motor Vehicle found to be leaking engine, transmission or brake fluid, antifreeze or any other environmentally harmful fluids of any type shall be deemed to constitute a danger to public safety and may be towed away and the fluids removed from the street at the expense of the registered Owner of the Motor Vehicle.

15.3. No Person shall dispose of anything into a sewer, manhole, or catch basin excepting those Persons authorized by issuance of a permit by the Town Manager and at those sites so designated by the Town Manager or as outlined in the Utilities Bylaw for the Town.

15.4. No Person shall tamper with or remove a manhole cover or valve cover from its seat base without authorization from the Town Manager.

16. ADDRESSING

16.1. The Owner of a Property on which a Building has been erected shall display the civic address number assigned to the Property at a location plainly visible from the Highway in front of Property.

17. ENFORCEMENT

17.1. A Peace Officer is hereby authorized to enforce the provisions of this Bylaw.

18. ORDER TO REMEDY

18.1. Pursuant to the *Municipal Government Act*, if a designated officer believes, on reasonable grounds, that a Person is contravening this bylaw, the designated officer may, by written order require any Person responsible for the contravention to remedy it.

18.2. The order may:

18.2.1. direct a Person to stop doing something, or to change the way in which the Person is doing it;

18.2.2. direct a Person to take any action or measures necessary to remedy the contravention of this bylaw and if necessary to prevent a re-occurrence of the contravention;

18.2.3. state a time within which the Person must comply with the directions;

18.2.4. state that if the Person does not comply with the directions within a specified time, the Town will take the necessary actions or measures required to remedy the contravention, at the expense of the Person.

18.3. Pursuant to the *Municipal Government Act* the expenses and cost of an action or measure taken by the Town under this section are an amount owing to the Town by the Person who contravened the bylaw.

18.4. Pursuant to the *Municipal Government Act*, a Council may add the following amount to the tax roll of a parcel of land:

18.4.1. Unpaid expenses and costs referred to in the *Municipal Government Act*, if the Owner of the Property contravened the bylaw and the contravention occurred on all or part of the Property.



- 18.4.2. Any administrative charges as set in Policy by Council resolution as amended from time to time.
- 18.5. A Person named in and served with an order issued pursuant to this section shall comply with any action or measure required to be taken within the time specified.
- 18.6. An order issued pursuant to this section may be served:
 - 18.6.1. in the case of an individual:
 - 18.6.1.1. by delivering it personally to the individual,
 - 18.6.1.2. by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age, or
 - 18.6.1.3. by registered mail addressed to the individual at their apparent place of residence or to any address for the individual on the tax roll of the Town; and
 - 18.6.2. in the case of a corporation:
 - 18.6.2.1. by delivering personally to any director or officer of the corporation,
 - 18.6.2.2. by delivering it personally to a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address, or
 - 18.6.2.3. by registered mail addressed to the registered office of the corporation.

19. OBSTRUCTION

- 19.1. A Person shall not obstruct or hinder any Person in the exercise or performance of the Person's powers pursuant to this bylaw.

20. GENERAL

- 20.1. Without restricting any other power, duty or function granted by this bylaw, the Chief Administrative Officer or any Peace Officer may:
 - 20.1.1. Carry out any inspection to determine compliance with this bylaw, or take any steps or carry out any action required to enforce this bylaw, or
 - 20.1.2. Take any steps or carry out any actions required to remedy a contravention of this bylaw, or
 - 20.1.3. Establish investigation and enforcement procedures with respect to Property and such procedures may differ depending on the type of Property in question.



21. APPEAL PROCEDURE

21.1. A Person who receives a written order under this bylaw may request Council to review the order by delivering a written request on completed form attached to their written notice, to the Chief Administrative Officer within fourteen (14) days of the date the order is received. The order shall be deemed received within 5 days of mailing.

21.2. After reviewing the clean-up order Council may confirm, vary, substitute or cancel the order.

22. OFFENCE

22.1. A Person who contravenes any provision of this bylaw is guilty of an offence.

23. ENFORCEMENT

23.1. A Peace Officer is hereby authorized to enforce the provisions of this Bylaw.

24. OFFENCES & PENALTIES

24.1. A Person who is guilty of an offence is liable, upon summary conviction, to a specified penalty for that offence as set out in Schedule "A" to this Bylaw.

24.2. Notwithstanding section 23.1 of this bylaw, any person who commits a second or subsequent offence under this bylaw within ONE (1) year of committing a first offence under this Bylaw, is liable upon summary conviction to the fine as set out in Schedule "A" of this Bylaw, for that offence.

24.3. Under no circumstances shall a person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

25. VIOLATION TAGS

25.1. A Peace Officer is hereby authorized and empowered to issued a Violation Tag to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.

25.2. A Violation Tag may be served:

25.2.1. in the case of an individual:

25.2.1.1. by delivering it personally to the individual;

25.2.1.2. by leaving it for the individual at the apparent place of residence with someone who appears to be a least 18 years of age; or

- 25.2.1.3. by mail addressed to the individual at the apparent place of residence or to any address for the individual on the tax roll of the Town; and
- 25.2.2. in the case of a corporation:
 - 25.2.2.1. by delivering personally to any director or officer of the corporation;
 - 25.2.2.2. by delivering it personally to a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
 - 25.2.2.3. by mail addressed to the registered office of the corporation.
- 25.3. A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the Chief Administrative Officer and shall state:
 - 25.3.1. the name of the Person to whom the Violation Tag is issued;
 - 25.3.2. a description of the Property upon which the offence has been committed, if applicable;
 - 25.3.3. a description of the offence and the applicable bylaw section;
 - 25.3.4. the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - 25.3.5. the time period in which the specified penalty must be paid in order to avoid prosecution for the alleged offence; and
 - 25.3.6. any other information as may be required by the Chief Administrative Officer.
- 25.4. Where a Violation Tag has been issued pursuant to this Bylaw, the person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town, the penalty specified on the Violation Tag.
- 25.5. Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.

26. VIOLATION TICKETS

- 26.1. In those cases where a Violation Tag has been issued, and if the penalty is not paid within the prescribed time period, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 26.2. Notwithstanding the foregoing provision of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.



- 26.3. A Violation Ticket issued with respect to a contravention of this bylaw shall be served on the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 26.4. The Person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided for in Schedule "A" of this bylaw.
- 26.5. When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to section 25.4 and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of a fine in the amount of the specified penalty.

27. SEVERABILITY

- 27.1. It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provisions, and it is further the intention of Council that if any provision of this bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the bylaw shall remain in force and effect.

28. REPEAL OF BYLAWS

- 28.1. Bylaw 792 and 859 and any amendments, are hereby repealed upon the final passing of this bylaw.

29. COMING INTO FORCE

- 29.1. This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council

READ a first time in Council this 4th day of June, 2019.

READ a second time in Council this 4th day of June, 2019.

READ a third time in Council this 4th day of June, 2019.



Mayor



Chief Administrative Officer

Community Standards Bylaw 870
Schedule A Penalties

| Section No. | Offence | Penalty 1st offence | Penalty 2nd Offence | | Violation Ticket 1st Offence | Violation Ticket 2nd Offence |
|-------------|--|---------------------|---------------------|--|------------------------------|------------------------------|
| 5.2 | Unightlyly premise | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3: | Nuisance or unsightly: | | | | | |
| 5.3.1 | Excessive accumulation of materials | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.2 | Loose litter, garbage not properly stored | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.3 | Unkept grass | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.4 | Drainage of water causing danger | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.5 | Creating odor | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.6: | Tree, shrub, vegetation or structure: | | | | | |
| 5.3.6.1 | Interfers with public works | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.6.2 | Obstructing sidewalk or highway | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.6.3 | Impairing visibility | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.3.7 | Property showing significant deterioration | \$100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.4 | Failure to screen | \$100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.5 | Debris during construction or demolition | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.6 | More than 2 derelict vehicles & failure to cover | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.7 | Derelict vehicle due to accident longer than 14 days | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.8 | Derelict vehicle in front yard | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 5.9 | Parking in front yard | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 6.1 | No securing unoccupied building | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 7.1 | Water flowing onto adjacent property | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 8.1 | Removal of snow or ice | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 8.3: | Placing snow off property | | | | | |
| 8.3.1 | Onto highway | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 8.3.2 | Onto public place | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 8.3.3 | Onto property other than own unless permission | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 8.5 | Snow or ice creating danger or risk | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |

Community Standards Bylaw 870

Schedule A Penalties

| | | | | | | |
|---------------------------|--|-----------|-----------|--|-----------|-----------|
| 8.6 | dripping on sidewalk or highway from building | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 8.7 | Objects on sidewalk to cause obstruction | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 9.2 | Fire hazard | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 10.1 | Fire Pits: | | | | | |
| 10.1.1 | Fire pit not 3 mtr setback | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 10.1.2 | Fire pit opening to large | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 10.1.3 | Sides non combustible | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 10.1.4 | Fire pit with no spark arrester | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 10.1.5 | Fire pit placed over or under utility lines | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 10.2 | Burning of non approved material | \$ 100.00 | \$ 150.00 | | \$ 150.00 | \$ 200.00 |
| 10.3 | Burning in a pit: | | | | | |
| 10.3.1 | Burning non-seasoned wood | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 200.00 |
| 10.3.2 | No extinguisher available | \$ 50.00 | \$ 100.00 | | \$ 150.00 | \$ 200.00 |
| 10.3.3 | Flames exceeding 1 meter | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 200.00 |
| 10.3.4 | No supervisor | \$ 50.00 | \$ 100.00 | | \$ 150.00 | \$ 200.00 |
| 10.3.5 | Not extinguished | \$ 50.00 | \$ 100.00 | | \$ 150.00 | \$ 200.00 |
| 12.1 | Noise | \$ 100.00 | \$ 200.00 | | \$ 200.00 | \$ 250.00 |
| 12.2 | Domestic Noise off time limit | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 200.00 |
| 12.3 | Operation of model aircraft off time limit | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 200.00 |
| 12.4 | Operation of snow clearing device off time limit | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 200.00 |
| 12.5 | Construction Noise: | | | | | |
| 12.5.1 | Construction off time limit | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 200.00 |
| 13.1 | Smoking cannabis in a public place | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 13.4: 13.4.1 to 13.4.5 | Smoking within 10 meters of Town facilities | \$ 50.00 | \$ 100.00 | | \$ 100.00 | \$ 150.00 |
| 14.1 | Urinate or defecate in a public place | \$ 100.00 | \$ 150.00 | | \$ 200.00 | \$ 250.00 |
| 14.2 | Litter in public place | \$ 100.00 | 150.00 | | \$ 200.00 | \$ 250.00 |
| 15.1 | Object or good from property onto highway | \$ 100.00 | 150.00 | | \$ 100.00 | \$ 150.00 |



