



CITY OF FORT SASKATCHEWAN

COMMUNITY STANDARDS BYLAW

BYLAW NO. C1-21

WHEREAS Part 2 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, provides that the Council of a Municipality may pass a bylaw for the purpose of prohibiting certain activities in order to prevent and compel the abatement of noise, Nuisances, Unsightly Premises and public disturbances within the corporate limits of the City of Fort Saskatchewan;

AND WHEREAS it is desirable for regulations which affect neighborhood livability to be located, as much as possible, in one bylaw;

NOW THEREFORE, the Council of the City of Fort Saskatchewan, duly assembled, enacts as follows:
This Bylaw is cited as the City of Fort Saskatchewan "Community Standards Bylaw."

1. DEFINITIONS

For the purposes of this Bylaw, the following words mean:

- (a) "Automobile Parts" includes, but is not limited to, any part of a Motor Vehicle or collection of Motor Vehicle parts;
- (b) "Boulevard" means that part of a Highway in an urban area that:
 - (i) is not a Roadway; and
 - (ii) is that part of the Sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
- (c) "Building Materials" means material or debris which may result from the construction, renovation, or demolition of any building or other Structure and includes, but is not limited to wood, gypsum board, roofing, vinyl siding, metal, packaging material and containers of Building Materials, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation or demolition of any building or other Structure;
- (d) "Charity Collection Site" means an area accessible to the public, which is marked by signs identifying the name of a charity and identifying the area for the collection of donated goods, and which contains a receptacle or bin for the collection of donated goods;
- (e) "City" means the municipal corporation of the City of Fort Saskatchewan;
- (f) "City Manager" means the City's Chief Administrative Officer or their designate;
- (g) "Composting" means the managed practice of recycling organic material, including food and yard waste, through biological degradation in a container or pile, to create a usable soil conditioner;

- (h) "Court" means the Provincial Court of Alberta;
- (i) "Drinking Establishment" means any business, organization, or individual that holds a liquor licence issued by the Alberta Gaming and Liquor Commission;
- (j) "Fence" means a structure constructed at ground level, used to prevent or restrict passage, provide visual screening, noise attenuation, landscaping, or to mark a boundary. This definition includes any privately built Fence and a developer-built community screening Fence;
- (k) "Fight" means any confrontation involving violent physical contact between two (2) or more people;
- (l) "Garden" means an area of land or a container in which flowers, vegetables, fruits or herbs are cultivated;
- (m) "Good Repair" means a condition where something is free from significant damage, peeling surfaces, broken, missing or fallen parts, rot or other significant deterioration, openings which are not secured against trespassers, infiltration, precipitation, or other visual evidence of a lack of general maintenance;
- (n) "Graffiti" means words, figures, letters, drawings, scribbles or stickers applied, scratched, etched, sprayed or attached on or to the surface of any Premises, Structure, or other Property;
- (o) "Herbaceous Plant" means a plant having little or no woody tissue above ground;
- (p) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, land, alley, square, bridge, causeway, trestle way or other place or part of any of them whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of Motor Vehicles and includes:
 - (i) a Sidewalk, including a Boulevard adjacent to a Sidewalk;
 - (ii) if a ditch lies adjacent to and parallel with the Roadway, the ditch; and
 - (iii) 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 edge of the Roadway, as the case may be;
- (q) "Industrial Fluids" includes, but is not limited to engine oil, brake fluid, anti-freeze or hydraulic fluid;
- (r) "Lane" means a narrow public Roadway intended chiefly to give access to the rear of buildings and parcels of land, also known as an alley as defined by the *Traffic Safety Act*, RSA 2000, c T-6, as amended;
- (s) "Litter" means any solid or liquid material or product, combination of solid or liquid materials, or liquid materials or products, including, but not limited to any rubbish, garbage, paper, packages, containers, bottles, cans, manure, metal, human or animal excrement, or the whole or part of an animal carcass, or the whole or part of any article, raw or processed material, or a dismantled or inoperative Motor Vehicle or other machinery;

- (t) "Motor Vehicle" has the same meaning as in the *Traffic Safety Act*, R.S.A. 2000, c.T-6, as amended or repealed and replaced from time to time;
- (u) "Night Time" means the period beginning at 10:00 PM and ending the following day at:
 - (i) 7:00 AM if the following day is Monday through Friday; or
 - (ii) 9:00 AM if the following day is a Saturday, Sunday or Statutory Holiday
- (v) "Nuisance" means any condition or use of Property, which, in the opinion of a Peace Officer, constitutes an unreasonable interference with the use and enjoyment of other Property in the neighborhood;
- (w) "Occupant" means any Person occupying any Property, or having control over the condition of any Property and the activities conducted on the Property, whether they are the Owner or lessee of such Property, or whether such Person resides thereon or conducts business thereon;
- (x) "Open Composting Pile" means a Composting site which is not fully contained in a Structure;
- (y) "Order" means an Order issued pursuant to this Bylaw to remedy a condition that is not in compliance with any provision of this Bylaw;
- (z) "Owner" means a Person who:
 - (i) in the case of land, is registered under the *Land Titles Act* as the Owner of the fee simple estate in a parcel of land; or
 - (ii) in the case of personal Property, is in lawful possession, or has the right to exercise control over it, or is the registered Owner of it;
- (aa) "Panhandling" means to ask for a gratuitous donation of money, food, or goods of any kind, whether spoken or by printed work, or bodily gesture, but does not include the solicitation of charitable donations allowed or authorized pursuant to the *Charitable Fundraising Act*, or any other legislation permitting the solicitation of charitable donations;
- (bb) "Peace Officer" includes a Bylaw Enforcement Officer, a Community Peace Officer and a member of the Royal Canadian Mounted Police;
- (cc) "Person" includes a corporation, other legal entities or an individual;
- (dd) "Pest" means any animal, bird, reptile, or insect which causes, or could reasonably be expected to cause annoyance, damage, or injury to any Person, animal or plant;
- (ee) "Premises" includes the external surface of all buildings and the whole or part of any parcel of real Property, including the land immediately adjacent to any Structure and includes all forms of vegetation and including any Property or Structures owned or leased by the City;
- (ff) "Property" means a parcel of land including any buildings or, where the context so requires, a chattel;
- (gg) "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;

- (hh) "Recreational Vehicle" means a Vehicle used or intended for use as a shelter, and without restricting the generality of the foregoing, includes any motor-home, holiday Trailer, camper, tent Trailer and any bus or truck converted for use as a Recreational Vehicle;
- (ii) "Residential Building" means a Structure that contains one or more dwelling units including a house, multi-family dwelling, housing project, apartment building, lodging house, senior citizen complex or hospital;
- (jj) "Roadway" means that part of a Highway intended for use by vehicular traffic;
- (kk) "Sidewalk" means that part of the Highway especially adapted to the use of 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 Roadway, and the adjacent Property line whether or not it is paved or unpaved;
- (ll) "Statutory Holiday" means any day deemed by the Federal or Provincial Governments, or the City of Fort Saskatchewan to be a holiday;
- (mm) "Structure" means a building (including eaves) or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land, pursuant to the MGA, as amended;
- (nn) "Trailer" means a vehicle so designed that it:
 - (i) may be attached to or drawn by a Motor Vehicle or tractor; and
 - (ii) is intended to transport property or Persons, and includes any "vehicle" defined by regulation as a Trailer but does not include machinery or equipment solely used in the construction or maintenance of Highways;
- (oo) "Unightly" means any Property which, because of deposits of rubbish, Litter, garbage, noxious weeds, or lack of general maintenance to a Structure or Property, impacts the property values of the Property or other properties in the area;
- (pp) "Urinate" means to discharge urine from the body;
- (qq) "Violation Tag" means a tag or similar document issued by the City pursuant to the Act for the purpose of notifying a Person that an offence has been committed for which a prosecution may follow;
- (rr) "Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time;
- (ss) "Xeriscaped Area" means an area of land that is landscaped using plants that are adapted to the local area or that are drought resistant; and
- (tt) "Yard Material" means any waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities including grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds.

2. ADDRESSING

- (a) The Owner or Occupant of a Premises on which a building, Structure or dwelling unit has been erected shall display the number assigned to the Property at a location plainly visible from the street in front of the Premises to which the Property is addressed.
- (b) The Owner or Occupant of a Premises on which a building, Structure or dwelling unit has been erected that has access to a Lane shall display the number assigned to the Property at a location plainly visible from the Lane.

3. CHARITY COLLECTION SITES

- (a) No Person shall dump or deposit household garbage or other Litter at a Charity Collection Site.
- (b) No Person shall scavenge from or disturb any material, bag or box in or at a Charity Collection Site, whether or not that material, bag or box is contained in a receptacle or resting upon the ground.

4. NOISE CONTROL

- (a) Prohibited Noise:
 - (i) Except as authorized pursuant to this Bylaw, no Person shall cause or permit any noise that annoys or disturbs the peace of any other Person.
 - (ii) Except as authorized pursuant to this Bylaw, no Owner or Occupant of a Premises shall cause or permit any noise that annoys or disturbs the peace of any other Person.
 - (iii) In determining if a sound is reasonably likely to annoy or disturb the peace of others, consideration may be given, but is not limited to:
 - A. Type, volume, and duration of the sound;
 - B. Time of day and day of week;
 - C. Nature and use of the surrounding area; and
 - D. Any other relevant factor.
 - (iv) With the exception of the activities referred to herein, unless permission from the City is first obtained, no Person shall use, operate or allow to be used or operated any tools, machinery, or equipment so as to create a noise, or disturbance which may be heard in a Residential Building in the Night Time.
 - (v) No Drinking Establishment shall permit any noise to emanate from the Premises of such Drinking Establishment such that it annoys or disturbs any Person outside the boundary of the Drinking Establishment.
 - (vi) In the operation or carrying on of an industrial activity, the Person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.

(vii) Nothing in this Bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which is a permitted use, an approved discretionary use, or a non-conforming, but not illegal, use as defined in the *Municipal Government Act (MGA)*, R.S.A. 2000, c.M-26, as amended and repealed from time to time.

(b) Section 4(a) does not apply to work carried on by the City or by a contractor carrying out the instructions of the City.

5. NUISANCE ESCAPING PROPERTY

(a) Water, Eavestroughs and Downspouts:

- (i) No Owner or Occupant of a Premises shall allow a flow of water from a hose or similar device on the Premises to be directed towards an adjacent Premises if it is likely that the water from the hose or similar device will enter the adjacent Premises.
- (ii) An Owner or Occupant of a Premises shall direct any rainwater downspout or eavestrough on the Premises towards the front or rear of the Premises or a side yard which does not abut another Premises unless it is pre-existing, otherwise authorized or would be considered unreasonable or impractical to change.
- (iii) No Owner or Occupant of a Premises shall allow a flow of water from a hose or similar device, rain water, downspout or eavestrough to be directed over or onto a public sidewalk so as to be a hazard to any Person or cause damage.

(b) Dust and Airborne Matter:

- (i) No Person shall engage in any activity that is likely to allow dust or other airborne matter that may disturb any other Person to escape the Premises without taking reasonable precautions to ensure that the dust or other airborne matter does not escape the Premises.

(c) Outdoor Lighting:

- (i) No Owner or Occupant of a Premises shall allow an outdoor light to point or shine directly into the living or sleeping areas of an adjacent dwelling house.
- (ii) An outdoor light shall not constitute a violation of Subsection (i) if the Owner or Occupant of the Premises shields the light from pointing or shining directly at the living or sleeping areas of the adjacent dwelling house.
- (iii) Where an outdoor light is permitted or required by the City, that approval or requirement shall take precedence over this Bylaw, and the light shall not constitute a violation of Subsection (i).

(d) Flyers and Debris:

- (i) An Owner or Occupant of a Premises shall ensure that articles such as papers, flyers and loose debris are collected and contained on the Premises so that they do not escape onto adjacent or other neighbouring properties.
- (ii) An Owner or Occupant of a Premises is responsible for papers and flyers on their Premises regardless of whether they solicited for the delivery of these papers or flyers.

- (iii) No Person responsible for the operation of a business engaged in the distribution of commercial flyers shall allow the deposit of their commercial flyers on a Premises where signs or notices have been posted and are clearly visible at the entrance to a dwelling unit, indicating that such material is not wanted.

6. PLACARDS, POSTERS AND PLAYBILLS

- (a) No Person shall place, post, or erect, or cause, permit, or allow to be posted or exhibited, any sign, placard, playbill, poster, writing, or picture on any wall, Property, Fence, park, or land owned by the City, without written permission from the City.
- (b) A Peace Officer is authorized to remove and destroy any placard, playbill, poster, writing, or picture erected or maintained without permission.

7. UNSIGHTLY PREMISES

(a) Accumulation of Materials:

- (i) No Owner or Occupant of a Premises shall allow on the Premises the accumulation of Yard Material, animal remains, parts of animal remains, animal feces, any material that creates unpleasant odours or is likely to attract Pests, or disassembled machinery, equipment and appliances and parts thereof.
- (ii) No Owner or Occupant of a Premises shall allow the open or exposed storage on the Premises of any Industrial Fluid.
- (iii) No Owner or Occupant of a Premises shall allow loose Litter boxes, packaging materials, household furniture or other household goods to accumulate on the Premises such that the accumulation is visible to a Person viewing from outside the Property.
- (iv) No Owner or Occupant of a Premises shall allow any accumulation of debris, animal remains or household goods to remain in a Motor Vehicle visible to the public.

(b) Appliances:

- (i) No Owner or Occupant of any Premises shall allow a refrigerator or freezer to remain on the exterior of the Premises without first ensuring that the hinges and latches, or lid or doors of the unit have been removed unless authorized by the City.
- (ii) No Owner or Occupant of any Premises shall allow any appliances to remain on the Premises such that the appliance is visible to a Person viewing from outside the Property unless authorized by the City.
- (iii) Notwithstanding Section 7(b) (i) and (ii), it shall not be an offence for an Owner or Occupant of a Premises to allow a refrigerator or freezer to remain on the Premises if the refrigerator or freezer is not visible to a Person viewing from outside the Property and the refrigerator remains locked at all times with a padlock and key or similar device.

(c) Boulevards:

- (i) No Owner or Occupant of a Premises shall allow grass or other Herbaceous Plants on the Boulevard adjacent to that Premises to exceed a height of fifteen (15) centimeters.

- (ii) No Owner or Occupant of a Premises shall allow accumulation of fallen leaves or other debris on a Boulevard adjacent to that Premises.
- (d) Compost Sites:
 - (i) No Owner or Occupant of a Premises shall place or allow to be placed animal feces, animal parts or animal meat on an Open Composting Pile or in a Composting container on the Premises.
 - (ii) No Owner or Occupant of a Premises shall allow an Open Composting Pile on the Premises within three (3) metres of an adjacent dwelling house, measured from the nearest part of the Open Composting Pile to the nearest part of the adjacent dwelling house.
 - (iii) Every Owner or Occupant who allows a Composting container or Open Composting Pile to remain on a Premises must ensure that it is maintained in such a manner that it does not become a Nuisance by creating offensive odours or attracting Pests.
- (e) Construction Sites:
 - (i) Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.
 - (ii) A waste container on a construction site must be designed and/or have the capacity to contain all waste construction material within the container to ensure that the waste construction material is not capable of blowing off the construction site.
 - (iii) No construction material is to be stored or accumulated on a construction site unless it is not capable of being blown away from the construction site.
- (f) Graffiti:
 - (i) No Person shall create or apply Graffiti except at a site that has been designated by the City.
 - (ii) Every Owner or Occupant of a Premise shall, within a reasonable time, ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view except at a site that has been designated by the City.
- (g) Maintenance of Grass and Other Plants:
 - (i) Pursuant to Section 26 of the *Alberta Weed Control Act*, as amended, repealed, or replaced from time to time, a Person is the Owner or Occupant of the Highway to the Highway's midpoint to the extent that the Person is the Owner or Occupant of the land that borders the Highway.
 - (ii) No Owner or Occupant of a Premises shall allow grass or other Herbaceous Plants on the Premises to exceed a height of fifteen (15) centimetres.
 - A. This section shall not apply to golf courses, maintained Gardens or maintained Xeriscaped Areas, parks or natural areas under the direction and control of the City, or areas under the direction and control of the City, including Boulevards

adjacent to major Roadways, and areas subject to naturalization efforts.

- B. This Section will apply to vacant lots within residential areas and the grass on any Boulevard that lies directly between the boundary of a parcel of land and an adjacent Highway or Roadway

(h) Motor Vehicles:

- (i) No Person may conduct any repair work on a Motor Vehicle, including mechanical repairs, auto body work, frame repair, collision repair, auto painting or modifications to the body or rebuilding of a Motor Vehicle, on any Premises in a residential district unless:
 - A. the activity does not create a Nuisance or noise complaints from the neighbourhood;
 - B. there is no escape of offensive, annoying, or noxious odours, fumes or smoke from the Premises;
 - C. Motor Vehicle fluids, oil, gasoline products or other hazardous material are properly disposed of and not swept or washed onto a Highway or down storm or sanitary sewers;
 - D. all discarded Automobile Parts and materials are properly stored and disposed of from the Premises; and
 - E. the activity is routine maintenance work done on any Motor Vehicle owned, operated, and registered in the name of the Owner or Occupant of the Premises, provided that all building and fire code regulations are met.
- (ii) No Owner or Occupant of a Premises shall allow the accumulation of Automobile Parts on the Premises unless they are contained in a Structure which has been approved by the City through the City's permitting process.
- (iii) No Owner or Occupant of a Premises shall allow more than one inoperable Motor Vehicle to remain on the Premises, and the Motor Vehicle must be either contained within a Structure which has been approved by the City or covered by a tarpaulin or other device acceptable to the City which prevents it being seen from any neighbouring Property or public area.
- (iv) No Owner or Occupant of a Premises shall park or store a Motor Vehicle, Recreational Vehicle, Trailer, or boat in the front yard of a Premises and wholly or partially on turf, lawn, dirt, or other non-hard surfaced areas.
- (v) No Owner or Occupant of a Premises shall park a shipping container or moving pod on the Premises for more than fourteen (14) days.

(i) Obligation to Maintain Property:

- (i) No Owner or Occupant of a Premises shall allow a Structure or Fence to become a safety hazard.
- (ii) Every Owner or Occupant of a Premises shall ensure the following are maintained in

Good Repair:

- A. Fences and their structural members; and
- B. Structures and their structural members, including foundations and foundation walls, exterior walls and their components, roofs, windows and their casings, doors and their frames, protective or decorative finishes of all exterior surfaces of a Structure or Fence, and exterior stairs, landings, porches, balconies and decks.

- (iii) No Owner or Occupant of a Premises shall permit any Nuisance or danger to public health or safety on or about a Premises or any Structure, earth work, excavation, depression, drain, ditch, watercourse, pond, surface water, refuse or other matter of thing upon the Property.
- (iv) The Owner, agent, lessee, or Occupant of a Premise shall prevent stagnant water from remaining on any such Premises and becoming a breeding place for mosquitoes or other Pests.

(j) Outdoor Storage of Building Materials:

- (i) No Owner or Occupant of a Premises shall allow on the Premises the accumulation of Building Materials, whether new or used, unless that Owner or Occupant can establish a construction or renovation undertaking is being carried out on the Premises and that:
 - A. the project has begun or the beginning of work is imminent;
 - B. the materials found on the Premises relate to the project taking place on the Premises of a quantity reasonable to complete the project; and
 - C. the work on the project has not been suspended for a period in excess of one-hundred and twenty days (120).
- (ii) An Owner or Occupant of a Premises shall ensure that all Building Materials stored on a Premises that are not in contravention of Subsection (i) are stacked or stored in an orderly manner.
 - A. Notwithstanding anything in Section 7, it shall not be an offence to store a small amount of neatly stacked materials on a Premises for basic Property maintenance or for operation of a permitted business.

(k) Unoccupied Buildings:

- (i) If a building normally intended for human habitation is unoccupied based on a Peace Officer's discretion, then any door or window opening in the building must be covered with a solid piece of wood but only if the wood is installed from the exterior and fitted within the frame of the opening in a watertight manner, of a thickness sufficient to prevent unauthorized entry into the building, secured in a manner sufficient to prevent unauthorized entry into the building, and coated with an opaque protective finish in a manner that is not detrimental to the surrounding area.
- (ii) If a building normally intended for human habitation is unoccupied then every walk and driveway on the Property shall be maintained clear of all snow and ice by the Owner.

8. WRITTEN ORDERS AND INSPECTIONS

- (a) In accordance with Section 542 of the *Municipal Government Act*, the City Manager and/or their designate may, after giving reasonable notice to the Owner or Occupant of the Premises, enter upon the said Premises and carry out an inspection for conditions that may contravene or fail to comply with the provisions of this Bylaw.
 - (i) Any Person who refuses to allow an inspection of the Premises under Section 8(a) is guilty of an offence.
- (b) If the City Manager and/or their designate believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, the City Manager and/or their designate may, by written Order, require any Person responsible for the contravention to remedy it.
 - (i) Any Person who fails to comply with an Order made under Section 8(b) is guilty of an offence.

9. LITTERING

- (a) No Person shall place, deposit, throw, or cause to be placed, deposited, or thrown, any Litter, refuse, or other substance upon any street, Lane, Sidewalk, parking lot, park, playground, or other Public Place or watercourse, or on Property not their own, except in a receptacle provided for such purposes.
- (b) A Person who has placed, deposited, or thrown, or caused to be placed, deposited, or thrown, any Litter upon any Highway, Lane, Sidewalk, parking place, park, playground or other Public Place or watercourse, or on any Property not their own, shall forthwith remove it, or upon direction of the Property Owner, agent or lessee, or a Peace Officer.

10. PANHANDLING

- (a) No Person shall engage in Panhandling.

11. PUBLIC DISTURBANCES

- (a) No Person shall participate in a Fight which a Peace Officer has reasonable grounds to believe is a verbal or physical confrontation in any Public Place or any place to which the public is allowed access.
- (b) No Person shall be a member of an assembly of three (3) or more Persons in any Public Place or any place to which the public is allowed access where a Peace Officer has reasonable grounds to believe the assembly will disturb the peace of the neighbourhood, and any such Person shall disperse as requested by a Peace Officer.
- (c) No Person shall loiter where a Peace Officer has reasonable grounds to believe the Person will obstruct any other Person in any Public Place.

12. URINATION / DEFECATION

- (a) No Person shall Urinate or deposit any human waste in any Public Place or in any place to which the public is allowed access, other than a public washroom.

13. OFFENCES & PENALTIES

- (a) Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction, to a specified penalty for that offence as set out in Schedule "A" to this Bylaw.
- (b) Notwithstanding Schedule "A" 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 on summary conviction to double the fine set out in Schedule "A" to this Bylaw, for that offence.
- (c) A Person who is guilty of an offence is liable to a fine in an amount not less than that established in Schedule "A", and not exceeding ten thousand dollars (\$10,000.00).

14. VIOLATION TAGS

- (a) A Peace Officer is hereby authorized and empowered to issue Violation Tags to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (b) A Violation Tag may be issued to such Person:
 - (i) either personally; or
 - (ii) by placing a copy of the Violation Tag on a Motor Vehicle; or
 - (iii) by mailing a hard copy to such Person at their last known postal address.
- (c) A Violation Tag shall be in a form approved by the City and shall state:
 - (i) the name of the Person;
 - (ii) the offence;
 - (iii) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - (iv) that the penalty shall be paid within seven (7) days of the issuance of the Violation Tag; and
 - (v) any other information that may be required by the City.
- (d) Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may in lieu of prosecution of the offence, pay the City the specified penalty set out on the Violation Tag.
- (e) Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.

15. VIOLATION TICKETS

- (a) In those cases where a Violation Tag has been issued and the penalty specified on the

Violation Tag has not been paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket.

- (b) Notwithstanding Section 16(a), a Peace Officer is authorized and empowered to immediately issue a Violation Ticket to any Person who the Peace Officer has reasonable and probable grounds to believe is responsible for a contravention of this Bylaw.
- (c) A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*, as amended, repealed, or replaced from time to time.
- (d) 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" to this Bylaw.
- (e) When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to Section 16(d) of this Bylaw and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

16. ENFORCEMENT ORDER

- (a) An Order issued by the City Manager and/or their designate may:
 - (i) direct a Person to stop doing something, or to change the way in which the Person is doing it;
 - (ii) 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;
 - (iii) state a time within which the Person must comply with the directions; or
 - (iv) state that if the Person does not comply with the directions within a specified time, the City shall take action or measures at the expense of the Owner or Occupant.
- (b) An Order issued pursuant to this Section may be served:
 - (i) by delivering it personally to the Person;
 - (ii) by leaving it for the Person at their apparent place of residence with someone who appears to be at least eighteen (18) years of age;
 - (iii) by mail addressed to the Person at their apparent place of residence or at any address for the Person on the tax roll of the City or at the Land Titles registry; or
 - (iv) by posting it in a conspicuous place on the Premises or Property referred to on the Order.
- (c) If in the opinion of the City Manager and/or their designate, service of the written Order cannot be reasonably affected, or if the City Manager and/or their designate believes that the Owner of the Premises or Property is evading service, the City Manager and/or their designate may post the written Order in a conspicuous place on the Premises or Property, or

on the private dwelling place of the Owner of the Premises or Property, and the written Order shall be deemed to be served upon the expiry of three (3) days after the written Order is posted.

- (d) When an Owner fails to remedy a contravention of this Bylaw within the time allowed in a written Order, the City may enter the Premises or Property, in accordance with provisions of the MGA and upon given reasonable notice, to perform or complete the work necessary to remedy the violation of this Bylaw the costs incurred by the City to remedy the violation, as well as any applicable fines under this Bylaw, will be billed to the Owner and will be amounts owing to the City. If the costs are not paid in the time specified by the City, the costs may be charged against the Premises or Property as a special assessment to be recovered in the same manner as other taxes.

17. APPEALS

- (a) A Person who receives a written Order to comply with a Section pursuant to this Bylaw may by written notice within fourteen (14) days after the date the Order is received, submit a request for Council to review the Order in an open meeting of Council.
- (b) After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.

18. NUMBER AND GENDER REFERENCES

All references in this Bylaw shall be read with such changes in number, gender or legal entity as may be appropriate, and pronouns shall be deemed to not be gender specific.

19. SEVERABILITY

If any portion of this Bylaw is declared invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

20. REPEAL

Upon third reading of Bylaw C1-21, Bylaws C16-12 and C20-15 are hereby repealed.

21. EFFECTIVE DATE

Bylaw C1-21 becomes effective upon third and final reading.

READ a first time in Council this 23rd day of February A.D. 2021

READ a second time in Council this 23rd day of February A.D. 2021

READ a third time in Council this 23rd day of February A.D. 2021



MAYOR

DIRECTOR, LEGISLATIVE SERVICES

Date Signed: February 23, 2021

BYLAW C1-21

**SCHEDULE "A"
FINES AND PENALTIES**

SECTION	OFFENCE	SPECIFIED PENALTY	SECOND & SUBSEQUENT OFFENCE
2(a)	Fail to display address visible to street	\$250.00	\$500.00
2(b)	Fail to display address visible to Lane	\$250.00	\$500.00
3(a)	Dumping at Charity Collection Site	\$250.00	\$500.00
3(b)	Scavenging from Charity Collection Site	\$250.00	\$500.00
4(a)(i-ii), 4(a)(iv-vi)	Make prohibited noise	\$250.00	\$500.00
5(a)(i)	Prohibited water flow	\$250.00	\$500.00
5(b)(i)	Dust/Airborne Matter escaping Premises	\$250.00	\$500.00
5(c)(i)	Outdoor light shining at adjacent house	\$300.00	\$600.00
5(d)(i)	Flyers uncontained and escaping Premises	\$300.00	\$600.00
5(d)(iii)	Business distributing flyers improperly	\$300.00	\$600.00
6(a)	Place posters without permission	\$250.00	\$500.00
7(a)(i)	Accumulation of materials on Premises	\$250.00	\$500.00
7(a)(ii)	Improper storage of Industrial Fluids	\$250.00	\$500.00
7(a)(iii)	Accumulation in view from outside Property	\$250.00	\$500.00
7(a)(iv)	Accumulation of materials in Motor Vehicle	\$250.00	\$500.00
7(b)(ii)	Appliances in view from outside Property	\$200.00	\$400.00
7(b)(iii)	Failure to secure appliance lid	\$200.00	\$400.00
7(b)(ii)	Appliance in view outside Property	\$200.00	\$400.00
7(c)(i)	Grass exceeds 15 cm on Boulevard	\$250.00	\$500.00
7(c)(ii)	Accumulation of debris on Boulevard	\$250.00	\$500.00
7(d)(i)	Animal feces or meat in Compost Pile	\$250.00	\$500.00
7(d)(ii)	Improper placement of Compost pile	\$250.00	\$500.00

7(d)(iii)	Compost Pile become Nuisance	\$250.00	\$500.00
7(e)(i)	No waste container on construction site	\$500.00	\$1000.00
7(e)(ii-iii)	Waste materials blown off construction site	\$500.00	\$1000.00
7(f)(i), 7(f)(ii)	Apply or fail to remove Graffiti	\$250.00	\$500.00
7(g)(ii)	Grass on Premises exceed 15 cm height	\$250.00	\$500.00
7(h)(i)	Improper repair of Motor Vehicle on Premises	\$500.00	\$1000.00
7(h)(ii)	Accumulation of Automobile Parts	\$250.00	\$500.00
7(h)(iii)	Improper storage of inoperable Motor Vehicle	\$250.00	\$500.00
7(h)(iv)	Improper parking or storage of Vehicle in front or side yard	\$250.00	\$500.00
7(h)(v)	Improper storage of shipping container or moving pod	\$250.00	\$500.00
7(i)(i)	Safety hazard – Structure or Fence	\$300.00	\$600.00
7(i)(ii)	Premises not in Good Repair	\$300.00	\$600.00
7(i)(iii)	Nuisance of building or land	\$300.00	\$600.00
7(i)(iv)	Accumulation of stagnant water	\$250.00	\$500.00
7(j)(i)	Improper outdoor storage of Building Materials	\$250.00	\$500.00
7(j)(ii)	Building Materials not stored in orderly manner	\$250.00	\$500.00
7(k)(i)	Improper blocking of unoccupied building	\$1000.00	\$2000.00
7(k)(ii)	Fail to remove snow - unoccupied building	\$250.00	\$500.00
8(a)(i)	Refuse to allow inspection of Peace Officer	\$500.00	\$1000.00
8(b)(i)	Fail to comply with written order from Peace Officer	\$500.00	\$1000.00
9(a)	Littering	\$250.00	\$500.00
10(a)	Panhandling	\$150.00	\$150.00
11(a)	Fight in Public Place	\$250.00	\$500.00
11(b)	Illegal assembly/Disturb the peace	\$250.00	\$500.00
11(c)	Loitering	\$250.00	\$500.00
12(a)	Urination/Defecation	\$300.00	\$600.00