



**BYLAW NO. 01-2024
OF THE TOWN OF SMOKY LAKE
IN THE PROVINCE OF ALBERTA**

A BYLAW OF THE TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING COMMUNITY STANDARDS AND CONTROLLING AND REDUCING NUISANCES AND UNSIGHTLY CONDITIONS WITHIN THE TOWN OF SMOKY LAKE.

WHEREAS pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and any amendments, 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 Smoky Lake.

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

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

1. TITLE

- 1.1 This Bylaw may be cited as the “Community Standards Bylaw”.

2. DEFINITIONS

- 2.1 “Boulevard” means that part of a Highway that:

- a) is not a roadway, and
- b) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.

- 2.2 “Building” means anything constructed or placed on, in, over or under land but does not include a highway;

- 2.3 “Building Materials” means material or debris which may result from the construction, renovation, or demolition of any building or 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 any structure;

- 2.4 “Bullying” means any objectionable or inappropriate comment, conduct or display by a person:
- a) directed at an individual, not of the same household;
 - b) which causes or is likely to cause physical or emotional distress.
- 2.5 “Bylaw Enforcement Officer” means a bylaw enforcement officer appointed by the Town of Smoky Lake, pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;
- 2.6 “CAO” means Chief Administrative Officer;
- 2.7 “Council” means the Council of the Town of Smoky Lake;
- 2.8 “Derelict Vehicle” means a vehicle that exhibits a defect, damage, or deterioration sufficient to preclude proper operation;
- 2.9 “Dilapidated Vehicle” means a vehicle that is reduced to or fallen into partial ruin or decay;
- 2.10 “Fence” includes a privately built fence and a developer-built fence;
- 2.11 “Fire” means any combustible material in a state of combustion;
- 2.12 “Fire Chief” means a supervisor of Smoky Lake Fire Department as appointed by Council;
- 2.13 “Fire Department” means the Town department duly appointed as the Fire Department by Council;
- 2.14 “Garden” means an area of land or container in which flowers, vegetables, fruits, or herbs are cultivated;
- 2.15 “Hazing” means any intentional or reckless act meant to induce physical pain, humiliation or embarrassment that causes physical or mental discomfort and is directed against a minor for the purpose of being initiated, introduced into, affiliated with or maintaining membership in any club, social, athletic team or other similar group or organization in which minors participate.
- 2.16 “Herbaceous Plant” means a plant having little or no woody tissue above ground;
- 2.17 “Highway” means any throughfare, street, road, trail, avenue, parkway, lane, alley, 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:
- a) a sidewalk including a boulevard adjacent to the sidewalk;
 - b) if a ditch lies adjacent to and parallel with the roadway; and
 - c) 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 fenced, 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.
- 2.18 “Inoperable Motor Vehicle” means any motor vehicle from which the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power, or on which there are no license plates or for which the license plates or vehicle registration has expired;

- 2.19 “Land Use Bylaw” means the Town’s Land Use Bylaw;
- 2.20 “Lane” means a narrow public roadway intended to give access to the rear of buildings and parcels of land, also known as an alley, as defined by the *Traffic Safety Act*, R.S.A. 2000, c T-6, as amended;
- 2.21 “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 dismantled or inoperable motor vehicle or other machinery;
- 2.22 “Operating Condition” means in relation to a vehicle, that is capable of being driven on a highway in compliance with the *Traffic Safety Act*, R.S.A. 2000, c T-6, as amended;
- 2.23 “Motor Vehicle” means a vehicle propelled by any power other than muscular power;
- 2.24 “Nuisance” means a condition of property or a thing or an activity that affects or has the potential to affect the use, enjoyment, or amenity of a neighbourhood or the safety, health, and welfare of people in the neighbourhood;
- 2.25 “Occupier” means a person occupying property, including a lessee or licensee, who has actual use, possession, or control of the property;
- 2.26 “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* or is registered as such under the *Land Titles Act*, R.S.A. 2000, c L-4, as amended, as the owner of the fee simple estate in a parcel of land;
- 2.27 “Parking Space” means an area set aside for the parking of one (1) vehicle and as provided for in the Land Use Bylaw;
- 2.28 “Person” means any individual, firm, partnership, association, corporation, trustee, executor, administrator, or other legal representative;
- 2.29 “Peace Officer” means:
- a) a member of the Royal Canadian Mounted Police;
 - b) a member of a municipal police service;
 - c) 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.
- 2.30 “Property” means the real property and any building and improvements thereon;
- 2.31 “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:
- a) all or any part of a building;
 - b) an outdoor place or area;
 - c) a bus, taxi, or other vehicle that is used to transport members of the public for a fee.

- 2.32 “Sidewalk” means that part of a Highway especially adapted to the use of pedestrians along the front yard of a parcel of land, or where it is a corner parcel, that portion along the front yard and that portion along the side yard of the parcel;
- 2.33 “Statutory Holiday” any day deemed by the Federal or Provincial Governments, or the Town of Smoky Lake to be a holiday;
- 2.34 “Town” means the Municipal Corporation of the Town of Smoky Lake;
- 2.35 “Unightly Condition” means a structure whose exterior shows signs of significant physical deterioration; and in respect to land, includes land that shows signs of a serious disregard for general maintenance or upkeep;
- 2.36 “Vehicle” means a device in, on or by which a person or thing may be transported, drawn, or pulled and includes a combination of vehicles but does not include a mobility aide;
- 2.37 “Vehicle Parts” includes, but is not limited to, any part of a motor vehicle or collection of motor vehicle parts;
- 2.38 “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;
- 2.39 “Violation Ticket” means a ticket issues pursuant to the *Provincial Offences Procedure Act*, R.S.A 2000, c P-34, as amended;
- 2.40 “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;

3. PURPOSE

- 3.1 The purpose of this bylaw is to:
 - a) prevent disputes between neighbours by providing guidance on issues that affect relationships between neighbours;
 - b) set standards of residential property maintenance and use;
 - c) protect public spaces; and
 - d) set standards for community safety.

4. INTERPRETATIONS

- 4.1 An owner is responsible for all activities on their property which constitute a violation of this bylaw;
- 4.2 Nothing in this bylaw relieves a person from complying with any Federal or Provincial statute or regulation.

5. ENFORCEMENT

- 5.1 The Town of Smoky Lake 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;

5.2 A Peace Officer and Bylaw Enforcement Officer are hereby authorized to enforce provisions of this bylaw.

6. PROPERTY MAINTENANCE/LAND AND BUILDINGS

- 6.1 For the purpose of this part, a person who is the owner or occupier shall be considered to own or occupy, as the case may be, the boulevard and sidewalks immediately adjacent to their property;
- 6.2 A person shall not cause or permit a nuisance or unsightly condition to exist on property they own or occupy;
- 6.3 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:
- a) accumulation of material including building materials, appliances, household goods, boxes, tires, and vehicle parts whether of apparent value or not;
 - b) placing, causing, or permitting a freezer or other similar appliance on land they own or occupy unless effective measures have been taken to prevent the opening and closing of the appliance;
 - c) loose litter, garbage, refuse or animal feces, whether located in a storage area, collection area or elsewhere on the property;
 - d) for garbage collection, household garbage must be placed in a bin with a lid to prevent birds or animals from spreading the garbage;
 - e) unkept grass or weeds, if:
 - i) it meets the definition of nuisance or unsightly condition contained in this Bylaw;
 - ii) grass in excess of twenty (20) centimeters in length or the presence of weeds that in the definition of nuisance or unsightly condition contained in this Bylaw;
 - iii) Section 6.3(e) 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, roadway, or lane.
 - f) any excavation, depression, drain or ditch, watercourse, pond, surface water or other matter or thing that may be dangerous to the public's safety or health;
 - g) production of any generally offensive odour;
 - h) any tree, shrub, other type of vegetation or any structure that:
 - i) interferes or could interfere with any public work or utility;
 - ii) obstructs any sidewalk or highway adjacent to the property; or
 - iii) impairs visibility required for safe traffic flow at any intersection adjacent to the property;

- iv) is likely to cause damage to adjacent property;
 - v) dead or diseased trees.
- i) the failure to keep property in a reasonable state of repair and showing significant deterioration of buildings, structures, fences, or improvements or portions of buildings, structures, or improvements.
- 6.4 No owner or occupant of a premises shall allow an outdoor light to shine directly into the living or sleeping areas of an adjacent dwelling house;
- a) Where an outdoor light is permitted or required by the Town, that approval or requirement shall take precedence over this Bylaw, and the light shall not cause a violation of this Bylaw.
- 6.5 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, as approved by the Town.
- 6.6 In the case of private or general contractors during the construction, renovation or demolition of a building, the property shall be kept in reasonable condition so as not to constitute a nuisance:
- a) all waste building materials on a construction site must be placed in a secure waste container that prevents the material from being blown away from the construction site;
 - b) a waste container on a construction site must be designed and/or have the capacity to contain all waste building material within the container to ensure that the waste building material is not capable of being blown away from the construction site;
 - c) no building material is to be stored or accumulated on a construction site unless it is not capable of being blown away from the construction site.
- 6.7 No more than one (1) dilapidated, derelict or inoperable motor vehicle, whether or not insured or registered, may be allowed on any property.
- 6.8 Notwithstanding Section 6.7, motor vehicles that may be considered dilapidated or derelict due to an incident or accident may be stored on a property for no more than fourteen (14) days.
- 6.9 At no time shall motor vehicles referred to in sections 6.7 and 6.8 be stored in any front yard other than in a parking space.
- 6.10 No person may conduct 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 property in a residential area 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 property;
 - c) vehicle fluids, oil, gasoline products or other hazardous material are properly disposed of and not swept or washed onto a Highway or into storm or sanitary sewers; and
 - d) all discarded automobile parts and materials are properly stored and disposed of from the property.

6.11 No owner or occupier of a premises shall park or store a recreational vehicle or trailer on the street (as per Land Use Bylaw):

- a) for more than 72 hours, if attached to a motor vehicle;
- b) at no time unattached to a motor vehicle.

7. UNOCCUPIED BUILDINGS

7.1 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.

8. WATER, EAVESTROUGHES, DOWNSPOUTS

8.1 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.

8.2 An owner or occupier of a property shall direct any rainwater, downspout or eavestrough on the property towards the:

- a) front of the property;
- b) rear of the property;
- c) side yard which does not abut another property; or
- d) a side yard which abuts another property only if there is a minimum of six (6) meters of permeable ground between the outfall of the downspout or eavestrough and the adjacent property.

9. SNOW, ICE, DEBRIS OR OBSTRUCTION

9.1 The owner or occupier of any property adjacent to a sidewalk is responsible for keeping the sidewalk free from ice for the full width and length of the property-adjacent sidewalk.

9.2 Where an owner or occupier anticipates being absent, the owner or occupier is still required to ensure the sidewalks are maintained in accordance with this bylaw.

9.3 No person shall remove snow, ice, dirt, debris or other materials from any sidewalk or property and place such items:

- a) onto any portion of a highway other than an adjacent boulevard;
- b) onto any other public place adjacent to such property; or
- c) onto any property other than their own unless permission is obtained.

9.4 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.

- 9.5 If water drips from a building or awning upon sidewalk or highway, the owner or occupier of the property shall clean the sidewalk or highway portion thereof to prevent ice from forming thereon.
- 9.6 No person shall place any goods, 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, unless approved by the CAO.
- 9.8 Where an owner or occupier fails to comply with section 9.1, the Town may cause the sidewalk to be cleared of any 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 a like manner as property taxes.

10. OUTDOOR FIRES

- 10.1 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.
- 10.2 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. Failure to do so constitutes an offence under this bylaw.

11. FIRE PIT STANDARDS

- 11.1 In this part, a fire pit means an outdoor receptacle used for recreational fire that meets the following specifications:
- a) the location is at least 3.0 meters (9.84 feet) from any building, property line, or combustible material;
 - b) the opening does not exceed 3 feet (36 inches) in width or in diameter;
 - c) the receptacle has enclosed sides made of non-combustible material;
 - d) the receptacle has a spark arrester mesh screen cover with an opening no larger than 1.25 cm (1/2 inches); and
 - e) the receptacle is not located over any underground utilities or under any above ground wires.
- 11.2 When using a fire pit there shall be no burning of grass, weeds, tree limbs, garden refuse, garbage, or other material and no burning of anything contrary to Federal, Provincial, or Municipal legislation or regulations.
- 11.3 Every owner or occupier who builds, ignites, or allows a fire in a fire pit must ensure that:
- a) only dry or seasoned wood intended for recreational purposes is used;
 - b) a means of extinguishing the fire is kept on hand at all times while the fire is burning;
 - c) the flames from the fire do not exceed 1 meter in height at any time;
 - d) the fire is supervised at all times by a responsible person;
 - e) the fire is not reasonably likely to disturb the peace of any other individual; and

- f) prior to leaving the fire, the fire is extinguished completely, leaving only cold ashes.

12. FIRE BAN

- 12.1 Notwithstanding any provision of this or any other Bylaw the CAO may declare a partial or complete ban or restriction on burning or fire of any kind within the Town;
- 12.2 A person shall not cause or permit outdoor fire while a fire ban is in effect.

13. NOISE

13.1 Noise Control:

- a) In determining if sound is reasonably likely to annoy or disturb the peace of others, consideration will be given, but not limited to:

- i) type, volume, and duration of the sound;
- ii) time of day and day of week;
- iii) nature and use of surrounding area; and
- iv) any other relevant factor.

- b) Except to the extent it is allowed in this Bylaw, no person shall make, continue, cause, or allow to be made, caused or continued any noise which annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace, or safety of other persons within the Town.

13.2 Domestic Noise

- a) no person shall operate off-highway vehicles, a power or hand mower, snow removal equipment or chainsaw in a residential area unless:
 - i) it is between the hours of 7:00 a.m. and 11:00 p.m.
- b) no person or persons shall participate in any activity within the residential sectors of Town that creates noise unless:
 - i) it is between the hours of 7:00 a.m. and 11:00 p.m.

13.3 The following will be exempt from the Noise section of the Bylaw:

- a) Emergency Services, such as Fire, Ambulance, and Police;
- b) Private companies, contractors and the town for the purpose of snow removal and/or emergency repair work, such as utility main breaks;
- c) Farm equipment used for the purpose of harvesting.

- 13.4 The CAO may, upon written request, issue a permit to a person for the purpose of suspending the provisions of this Bylaw for a specified period of time during which noise may occur.

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. BULLYING AND HAZING

- 15.1 No person shall commit the act of bullying against another person in any public place, on public property or in any other place.
- 15.2 No person shall commit the act of bullying against another person through written or electronic means.
- 15.3 No person shall commit the act of hazing against a minor in any public place, on public property or in any other place.

16. MISCELLANEOUS RESTRICTIONS AND PROHIBITIONS

- 16.1 The owner or occupier is responsible for any object or good disposed from their property onto any portion of a highway.
- 16.2 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.
- 16.3 No person shall dispose of anything into a sewer, manhole, or catch basin excepting those persons authorized by issuance of a permit by the CAO.
- 16.4 No person shall tamper with or remove a manhole cover from its seat base without authorization from the CAO.

17. ADDRESSING

- 17.1 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 the property.

18. PLACARDS, POSTERS AND PLAYBILLS.

- 18.1 No person shall place, pose, 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 Town, without written permission from the Town or the owner of the property, as the case may be.
- 18.2 The Town is authorized to remove and destroy any placard, playbill, poster, writing, or picture erected or maintained without permission.

19. ORDER TO REMEDY

- 19.1 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.
- 19.2 The order may:
- a) direct a person to stop doing something, or to change the way in which the person was doing it;
 - b) 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;
 - c) state a time within which the person must comply with the directions;
 - d) 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.
- 19.3 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.
- 19.4 Pursuant to the *Municipal Government Act*, Council may add the following amounts to the tax roll of a parcel of land:
- a) 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.
- 19.5 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.
- 19.6 An order issued pursuant to this section may be served:
- a) in the case of an individual:
 - i) by delivering it personally to the individual;
 - ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;
 - iii) 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; or
 - iv) by posting it to the door of a building or in any conspicuous place on the property, and service is affected on the day of posting; and
 - b) in the case of a corporation:
 - i) by delivering personally to any director or officer of the corporation;
 - ii) by delivering it personally to a person apparently in charge of an office of the corporation at an address held out by the corporation;
 - iii) by registered mail addressed to the registered office of the corporation.

20. OBSTRUCTION

- 20.1 A person shall not obstruct or hinder any person in the exercise of performance of the person's powers pursuant to this Bylaw.

21. GENERAL

- 21.1 Without restricting any other power, duty or function granted by this Bylaw, the CAO, any Peace Officer, or any Bylaw Enforcement Officer may:
- a) carry out any inspection to determine compliance with this Bylaw, or take any steps or carry out any action required to enforcement this Bylaw, unless otherwise stated in other enactment;
 - b) take any steps or carry out any actions required to remedy a contravention of this Bylaw, unless otherwise stated in another enactment; or
 - c) establish investigation and enforcement procedures with respect to property.

22. APPEAL PROCEDURE

- 22.1 A person who received a written order under this bylaw may request Council to review the order by delivering a written request on a completed form attached to their written notice, to the CAO within fourteen (14) days of the date the order is received. The order shall be deemed received within five (5) days of mailing.
- 22.2 After reviewing the order, Council may confirm, vary, substitute, or cancel the order.

23. OFFENCE

- 23.1 A person who contravenes any provision of this bylaw is guilty of an offence.

24. OFFENCES & PENALTIES

- 24.1 A person who is guilty of an offence is liable, upon summary of conviction, to a specified penalty for that offence as set out in the Master Rates 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 the "Penalty 2nd Offence" column of the Master Rates 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 or Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any person whom the Peace Officer or Bylaw Enforcement Officer has reasonable ground to believe has contravened any provision of this Bylaw.
- 25.2 A Violation Tag may be served:
- a) in the case of an individual:

- i) by delivering it personally to the individual;
 - ii) by leaving it for the individual at the apparent place of residence with someone who appears to be at least 18 years of age; or
 - iii) by mail addressed to the individual at the apparent place of residence to any address for the individual on the tax roll of the Town; and
- b) in the case of a corporation:
- i) by delivering it personally to any director or officer of the corporation;
 - ii) by delivering is personally to a person apparently in charge of an office of the corporation at an address held out by the corporation; or
 - iii) 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 CAO and shall state:

- a) the name of the person to whom the Violation Tag is issued;
- b) a description of the property upon which the offence has been committed, if applicable;
- c) a description of the offence and the applicable Bylaw section;
- d) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
- e) the time period in which the specified penalty must be paid in order to avoid prosecution for alleged offence; and
- f) any other information as may be required by the CAO.

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 or Bylaw Enforcement 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 or Bylaw Enforcement 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 or Bylaw Enforcement 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 or Bylaw Enforcement 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 or Bylaw Enforcement 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*.

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 served and all other provisions of Bylaw shall remain in force and effect.

28. REPEAL OF BYLAWS

28.1 The following Bylaws are hereby repealed upon the final passing of this Bylaw:

- a) Bylaw No. 011-2023: Community Standards Bylaw

29. EFFECTIVE DATE

28.1 This Bylaw shall come into force and effect on third and final reading.

READ a FIRST time this 15th Day of January, 2024.

READ a SECOND time this 15th Day of January, 2024.

READ a THIRD and FINAL time, with the UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT, this 15th Day of January, 2024.

Original Signed_____

Amy Cherniwchan
Mayor

Original Signed_____

Dawn Phillips
Chief Administrative Officer

Community Standards Bylaw 01-2024
Schedule "A" Penalties

| Section No. | Offence | Penalty 1 st Offence | Penalty 2 nd Offence | Violation Ticket 1 st Offense | Violation Ticket 2 nd Offense |
|-------------|--|---------------------------------|---------------------------------|--|--|
| 6.3 | Nuisance or Unsightly: | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(a) | Excessive accumulation of materials | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(b) | Failure to secure fridge door | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(c) | Loose litter, garbage not properly stored | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(e) | Unkept grass | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(f) | Drainage of water causing danger to public | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(g) | Creating odour | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(h) | Tree, shrub, vegetation, or structure: | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(h)(i) | Interferes with public works. | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(h)(ii) | Obstructing sidewalk or highway | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.3(h)(iii) | Impairing visibility | \$100.00 | \$150.00 | \$200.00 | \$250.00 |

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| 6.3(i) | Property showing significant deterioration | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.4 | Outdoor light shining at adjacent house | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.5 | Failure to screen | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.6 | Debris during construction or demolition | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.7 | More than 1 derelict vehicle | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.8 | Derelict vehicle due to accident longer than 14 days | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 6.10 | Unauthorized repairs in residential area | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 6.11 | Parking recreational vehicle or trailer more than 72 hrs | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 7.1 | No securing unoccupied building | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 8.1 | Water flowing onto adjacent property | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 9.1 | Removal of snow/ice over 48 hours | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 9.3 | Placing snow off property: | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 9.3(a) | Onto highway | \$50.00 | \$100.00 | \$100.00 | \$150.00 |

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| 9.3(b) | Onto public place | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 9.3(c) | Onto property other than own without permission | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 9.4 | Snow/ice creating danger or risk | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 9.5 | Dripping on sidewalk or highway from building | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 9.6 | Objects on sidewalk to cause obstruction | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 10.2 | Fire hazard | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.1(a) | Fire pit not 3-meter set back | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.1(b) | Fire pit opening exceeds 3-meters | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.1(c) | Fire pit sides combustible | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.1(d) | Fire pit with no spark arrestor | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.1(e) | Fire put placed over/under utility lines | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.2 | Burning of non-approved material | \$100.00 | \$150.00 | \$100.00 | \$150.00 |

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|---------|--|----------|----------|----------|----------|
| 11.3(a) | Burning non-seasoned wood | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.3(b) | No extinguisher available | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.3(c) | Flames exceeding 1-meter | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.3(d) | No supervision | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 11.3(e) | Disturbing the peace | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 11.3(f) | Not extinguished fire | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 12.2 | Fire during fire ban | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 13.1 | Noise | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 13.2 | Domestic Noise during off time | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 13.3 | Operating of snow clearing device off time limit | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 13.4(a) | Construction off time limit | \$50.00 | \$100.00 | \$100.00 | \$150.00 |

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| 14.1 | Urinating or defecating in public | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 14.2 | Litter in a public place | \$100.00 | \$150.00 | \$200.00 | \$250.00 |
| 15.1 | Bullying | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 15.2 | Bullying via electronic means | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 15.3 | Hazing | \$50.00 | \$100.00 | \$100.00 | \$150.00 |
| 16.1 | Object/good from property onto highway | \$100.00 | \$150.00 | \$200.00 | \$250.00 |