



Bonnyville

TOWN OF BONNYVILLE

BYLAW NO. 1597-25

COMMUNITY STANDARDS BYLAW

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WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26, Section 7(a), a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26 Section 7(c), a Council may pass bylaws for municipal purposes respecting nuisances, including unsightly property; and

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26 Section 7(i), a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all the matters listed therein; and

AND WHEREAS, pursuant to the *Safety Codes Act*, RSA 2000, c S-1, Section 66(2), a Council may pass bylaws for municipal purposes respecting minimum maintenance standards for buildings and Structures as well as unsightly or derelict buildings or Structures.

NOW THEREFORE THE COUNCIL OF THE TOWN OF BONNYVILLE ENACTS AS FOLLOWS:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

1. TITLE

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

2. PURPOSE

The purpose of this Bylaw is to:

- a. promote Property Maintenance and ensure the upkeep of Properties and their Structures;
- b. establish Minimum Standards and set baseline maintenance requirements for properties;
- c. support Remediation Efforts by providing resources to Administration to address non-compliant properties; and
- d. promote Safe and Enjoyable Use of Property by regulating the conduct and activities of individuals on both public and private lands to ensure the safe, enjoyable, and reasonable use of properties for the benefit of all citizens of the Town of Bonnyville.

3. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- a. “**Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended;

- b. **“Bylaw”** means the Community Standards Bylaw, and includes any amendments thereto;
- c. **“CAO”** means the Chief Administrative Officer of the Town or their delegate;
- d. **“Council”** means the Municipal Council of the Town of Bonnyville;
- e. **“Court”** means the Provincial Court of Alberta;
- f. **“DBA”** means the intensity of a noise as measured in decibels on the "A" scale of a noise level meter when the said meter is set on the "A" weighted network and on the fast response;
- g. **“Daytime Hours”** means all hours outside of Quiet Hours;
- h. **“Derelict Property”** means a building or land that has been abandoned, neglected, is in a state of significant disrepair, or deteriorated to the point where it is no longer habitable or usable. Signs that a property may be derelict include (but are not limited to):
 - i. Structural Damage: Cracks in walls, sagging roofs, or collapsed sections.
 - ii. Broken or Boarded Windows: Windows that are shattered, missing, or covered with boards.
 - iii. Graffiti or Vandalism: Graffiti, broken doors, or other forms of vandalism.
 - iv. Accumulation of Debris: Trash, old furniture, or abandoned vehicles.
 - v. No Utilities or Services: No running water, electricity, or proper drainage.
 - vi. Unsafe or Unstable Conditions: Visible hazards such as exposed wires, holes in floors, or collapsing Structures.
 - vii. Bad Odors or Pest Infestations: A strong smell of mold or signs of rodent and insect infestations.
 - viii. Lack of Occupancy: Appears unused for an extended period with no signs of caretaking; or
 - ix. is one that pose risks to health, safety, or the environment, such as structurally unsound buildings or properties with hazardous materials.
- i. **“Derelict Equipment”** means equipment or machinery that is inoperative by reason of its disassembly, age, or mechanical condition, including any household appliance stored outside of a building regardless of whether it is in an inoperative condition.

- j. **"Dilapidated Vehicle"** means any vehicle that is:
 - i. incapable of being safely operated;
 - ii. partially or fully wrecked or dismantled; or
 - iii. substantially damaged.
- k. **"Highway"** has the same meaning as in the *Traffic Safety Act*, RSA 2000, c T-6; any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any 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 vehicles and includes
 - i. a Sidewalk, including a boulevard adjacent to the 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, but does not include a place declared by regulation not to be a Highway;
- l. **"Holiday"** includes:
 - i. New Year's Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Labour Day, Truth and Reconciliation Day, Remembrance Day and Christmas Day;
 - ii. December 26, or when that date falls on a Saturday or Sunday, then the next business day;
 - iii. Any day appointed by proclamation of the Governor General in Council or by proclamation of the Lieutenant Governor in Council for a public Holiday or for a day of fast or thanksgiving or as a day of mourning, and
 - iv. With reference to any particular part of Alberta, the day in each year that may by proclamation of the Lieutenant Governor in Council be appointed as a public Holiday for that part of Alberta for the planting of forest or other trees;
- m. **"Hospital Zone"** means an area which
 - i. is designated as such by signs or other devices, or
 - ii. any portion of the Town within one hundred fifty meters in any direction from the boundaries of a site on which is situated a hospital as defined in Section 1(h) of the Hospitals Act, RSA 2000, c. H-12;

- n. **"Land Use Bylaw"** means the current Town of Bonnyville Land Use Bylaw and all amendments thereto;
- o. **"Motor Vehicle"** has the same meaning as in the *Traffic Safety Act*, RSA 2000, c T-6;
- p. **"Municipal Tag"** means a ticket alleging an offence issued pursuant to the authority of a Bylaw of the Town;
- q. **"Occupant"** means:
 - i. a Person who is in lawful physical possession of land or a Structure on the land; or
 - ii. a Person who has responsibility for, and control over, the condition of land or a Structure on the land, the activities conducted on that Property, and the Persons allowed to enter that Property, and for the purposes of this Bylaw, there may be more than one Occupant of the same land or Structure on the land.
- r. **"Outdoor Public Address System"** means a sound transmission system (or any separate component thereof) used primarily as an outdoor audio communication device, including business intercom or a sound amplification device used in conjunction with a public event;
- s. **"Order"** means a written order in accordance with section 545 or 546 of the Act;
- t. **"Own"** or **"Owns"** or **"Owner"** means:
 - i. in the case of land, to be registered under the *Land Titles Act*, RSA 2000, c L-4 as the owner of the fee simple estate in a parcel of land; or
 - ii. in the case of personal Property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;
- u. **"Person"** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- v. **"Peace Officer"** has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000, c P-34 and may include a Peace Officer appointed by the Town;
- w. **"Quiet Hours"** means
 - i. Monday through Saturday between 10:00 pm and 7:00 am (local time), and
 - ii. Sunday and Holidays between 10:00 pm and 9:00 am (local time);
- x. **"Unreasonable State of Repair"** means, in respect of a building or Structure, or any portion thereof, showing signs of a serious disregard for

general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:

- i. any damage to the building or Structure;
 - ii. any graffiti displayed on the building or Structure that is visible from any surrounding property;
 - iii. any rot or other deterioration within the building; and
 - iv. any inappropriate infiltration of air, moisture or water into the building due to peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the building.
- y. **"Unsightly Property"** is Property that, in the opinion of a Peace Officer, is detrimental to the surrounding area because of its unsightly condition.

Some factors which may be considered by a Peace Officer in determining whether Property is Unsightly Property include the following:

- i. the presence of uncut grass or weeds;
- ii. the presence of trees, shrubs or other vegetation in such a manner that they interfere with the use of or obstruct visibility of street signage, Sidewalks, roadway clearance, municipal works or public utilities;
- iii. the presence of Derelict Equipment;
- iv. the presence of one or more Dilapidated Vehicles, including vehicles that are inoperable or inoperable and unregistered;
- v. the storage or accumulation of garbage, litter, refuse (including but not limited to building materials, tires, boxes, scrap material), equipment, dilapidated furniture or appliances, machinery, machinery parts or other similar materials or items;

This is not intended to be an exhaustive list of factors which may be considered in determining whether Property is Unsightly Property.

- z. **"Residential District"** is a residential district as outlined in the Land Use Bylaw;
- aa. **"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; and
- bb. **"Structure"** refers to any building or object constructed or situated on, above, below, or within land including items that may or may not be

permanently attached to the land, and which can be transferred without specific mention during the sale or transfer of the land;

cc. **“Town”** means the Municipal Corporation of the Town of Bonnyville; and

dd. **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.

4. RULES FOR INTERPRETATION

The table of contents, marginal notes and headings in this Bylaw are for reference purposes only.

PART II - PROPERTY MAINTENANCE

5. HIGHWAY OCCUPANCY

For the purposes of this Part, a Person who Owns or occupies land shall be considered to occupy that portion of any Highway between the Property line and the centre line of the Highway.

6. LAND

- a. A Person shall not cause or permit a Nuisance to exist on land they Own or occupy.
- b. Nuisance, in respect of land, means land that shows signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:
 - i. excessive accumulation of material including but not limited to building materials, appliances including parts of disassembled machinery equipment or appliances, household goods, boxes, tires, vehicle parts, garbage or refuse, whether of any apparent value or not;
 - ii. any loose litter, garbage or refuse whether located in a storage area, collection area or elsewhere on the land;
 - iii. damaged, dismantled or derelict vehicles or Motor Vehicles, whether insured or registered or not;
 - iv. smelly or messy compost heaps;
 - v. unkempt grass or weeds higher than 20 centimetres;
 - vi. production of excessive dust, dirt or smoke;
 - vii. production of any generally offensive odours;
 - viii. animal remains, parts of animal remains, or animal feces;
 - ix. any tree, shrub, other type of vegetation or any Structure:

- 1) that interferes or could interfere with any public work or utility;
 - 2) that obstructs any Sidewalk adjacent to the land; or
 - 3) that impairs the visibility required for safe traffic flow at any intersection adjacent to the land.
- x. any noxious weeds or other weeds growing on the lands that could propagate and spread seeds, roots, rhizomes or spores to the Property of other Persons;
 - xi. any accessible excavation, ditch, drain or standing water that could pose a danger to the public; and
 - xii. any construction project or activity not completed within two years of the issuance date of the development permit for the project or activity, was issued by the Town or, if no permit was issued or required, within five years of starting construction.

7. SIDEWALKS

- a. Within 48 hours of the deposit of snow, ice, dirt, debris or other obstruction, the snow, ice, dirt, debris or other obstructions must be removed by the Owner or Occupant of the Property adjacent to the Sidewalk;
- b. No Person shall place or be permitted to place any snow, ice, dirt, debris or other material removed from Sidewalks, boulevards or driveways onto the Highways or other public places of the Town;
- c. Commercial Area Exception: Commercial businesses, from 46 Street east to 52 Street, along Highway 28 are permitted to remove snow, ice, dirt, debris, or other materials and place them on any part of the Highway, provided that:
 - i. The principal building on the parcel is situated such that there is no access to the rear of the parcel from the front, other than through the building, and
 - ii. There is insufficient space to deposit the snow, ice, dirt, debris or other material removed from Sidewalks, boulevards or driveways and maintain a safe path of travel for pedestrians.
- d. Expenses charged: Where an Owner or Occupant does not remove snow and ice from Sidewalks adjacent to their Property in accordance with section 6(a), the Town may remove the snow and ice and the Owner is liable for removal costs, including:
 - i. An administration fee as designated in attached Schedule “B”; and
 - ii. Labour, equipment, and disposal fees.

- e. If an Owner or Occupant fails to pay the removal costs outlined in section 7(d), the Town may add the removal costs to the tax roll of the parcel;

8. BOULEVARDS AND BACK LANES

- a. A Person shall maintain any boulevard and back lane adjacent to land they Own or occupy by:
 - i. keeping any grass on the boulevard or back lane cut to less than 20 centimetres; and
 - ii. keeping the lands clear of any Nuisance; and removing any accumulation of fallen leaves or other debris.

9. MAINTENANCE STANDARDS FOR PROPERTY

- a. An Owner or Occupant of Property shall ensure that all Structures on the Property are maintained so that:
 - i. the foundations;
 - ii. exterior walls;
 - iii. siding, exterior finishes;
 - iv. roof and eavestroughs;
 - v. windows, including frames, shutters, glass and awnings;
 - vi. exterior doors, including frames, jambs, and awnings;
 - vii. exterior landings;
 - viii. balconies, porches, decks, patios; and
 - ix. steps, walkways, Sidewalks; and fences;are not in an Unreasonable State of Repair.
- b. No Person shall cause a Property to be damaged or to deteriorate into a state of disrepair such that the Structure becomes a Derelict Property or Unsightly Property.
- c. If a Structure is unoccupied then the Owner should cover any door or window opening in the Structure with a solid piece of wood (or other similar suitable material) that is:
 - i. installed from the exterior and fitted within the frame of the opening in a watertight manner;
 - ii. of a thickness sufficient to prevent unauthorized entry into the Structure;

- iii. secured in a manner sufficient to prevent unauthorized entry into the Structure; and
 - iv. coated with an opaque protective finish that matches or complements the existing exterior finish of the Structure in a manner that is not detrimental to the surrounding area.
- d. Any works of maintenance, repair, renovation or construction to any Property or Structure, or any landscaping that does not require a development permit pursuant to the Land Use Bylaw, shall be completed within a reasonable time.

10. WASTE BINS

- a. A Person shall not place, cause or permit to be placed any waste bin on land they Own or occupy unless the waste bin is:
- i. equipped with a lid or cover capable of completely covering the waste bin; and
 - ii. kept closed or covered at all times except for actual loading or unloading of waste.
- b. A Person shall not place, cause or permit to be placed any roll off waste bin on land they Own or occupy unless the roll off waste bin is:
- i. kept closed or covered at all times except for actual loading or unloading of waste; and
 - ii. contains only material that will not emit odour and will not be blown out of the bin.

11. APPLIANCES

- a. A Person shall not place, cause or permit to be placed a refrigerator, freezer or other appliances on land they Own or occupy unless effective measures have been taken to prevent the opening and closing of the appliance.
- b. Without limiting the generality of subsection (a) measures considered to be effective may include:
- i. the complete removal of the door for the appliance;
 - ii. the removal of the door handle mechanism if this prevents opening and closing of the door;
 - iii. the removal of the door hinges;
 - iv. locking the appliance; or
 - v. otherwise wrapping or containing the appliance so that the interior is inaccessible.

12. WASTE DISPOSAL

A Person shall not place, cause or permit to be placed any litter, garbage, refuse or other waste material upon a Property that they do not Own, rent or lease-

PART III – OUTDOOR LIGHTING AND CAMPING

13. OUTDOOR LIGHTING REGULATIONS

- a. Prohibited light intrusion: No Owner or Occupant of a property shall allow outdoor lighting to shine directly into the living or sleeping areas of another dwelling, unless such lighting is permitted or required by a development permit or similar approval.
- b. Light fixture requirements: Outdoor light fixtures must be arranged, installed, and maintained to deflect, shade, and focus light away from abutting sites or adjacent land uses to prevent nuisance. Additionally, outdoor lights must not interfere with the effectiveness of any traffic control device.

14. CAMPING

- a. Overnight Camping in Parks:
 - i. No person shall camp overnight in a park except in designated areas, unless authorized by an Officer or Director.
 - ii. A valid permit under this Bylaw is required for overnight camping.
- b. Camping Restrictions in Town:
 - i. Camping in any area of the Town not designated as a Campground, as per the Town's Land Use Bylaw, is prohibited unless special written permission is granted by the CAO or their designate.
 - ii. Residing or camping in any Public Place in the Town requires special written permission from the CAO or their designate.
 - iii. Residing or camping in any Accessory Building, Camping Unit, Temporary Shelter, or Tent on private property is limited to seven consecutive days within one calendar year, unless special written permission is granted by the CAO or their designate.
- c. Peace Officer Authority:

A Peace Officer may direct the removal of a camping unit, temporary shelter, or tent within twenty-four hours if it is being used, or intended to be used, for human habitation.

PART IV – NOISE CONTROL

15. QUIET HOURS (GENERAL)

No Person shall cause, or permit to be caused, sounds that may be heard in a Residential District during Quiet Hours at a level in excess of 75 DBA .

16. GENERAL PROHIBITION

Unreasonably Loud, Raucous or Unusual Sounds

- a. Except to the extent permitted by this Bylaw, no Person shall make, continue, cause or permit to be made or continue any unreasonably loud, raucous or unusual sound which annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of any other Person of ordinary sensitivity.
- b. Factors for determining, under section 16(a), if a sound is unreasonably loud, raucous or unusual, include the following:
 - i. the land use district;
 - ii. the proximity of the sound to sleeping facilities or accommodations, (whether commercial or residential);
 - iii. the time of day or night the sound occurs;
 - iv. the duration and volume of the sound; and
 - v. whether the sound is recurrent, intermittent or constant.

17. SPECIFIC PROHIBITIONS

Daytime Restriction

- a. No Person shall cause, or permit to be caused, sounds that may be heard in a Residential District during Daytime Hours at a level greater than 75 DBA unless such sounds are of a temporary or intermittent nature, as determined by the Peace Officer.
- b. No Person shall cause, or permit to be caused, sounds that may be heard in a Residential District during Daytime Hours at a level in excess of 85 DBA.

18. CONSTRUCTION WORK

The CAO may approve construction work, including construction, repair, alteration, or demolition, which may produce noise over 75 DBA to be undertaken during Quiet Hours in a Residential District.

19. OUTDOOR MAINTENANCE WORK

No Person shall operate or permit to be operated during Quiet Hours any power lawn mower, power garden maintenance equipment, or power snow-clearing equipment in a Residential District.

20. COMMERCIAL VEHICLE LOADING/UNLOADING

No Person shall load or unload, or permit to be loaded or unloaded, a Commercial Vehicle in a Residential District during Quiet Hours.

21. OUTDOOR PUBLIC ADDRESS SYSTEMS

No Person shall operate, or permit to be operated, an Outdoor Public Address System, at any time, such that sounds emitted from may be heard within a Residential District at a level in excess of 75 DBA.

22. HOSPITAL ZONE

Where an area is designated by signs or other means as being a hospital zone no Person shall:

- a. carry on any noise-making activity in the area, or
- b. make or continue any noise or loud sound within the area.

23. SPECIFIC EXEMPTIONS TO PART IV – NOISE CONTROL

The restrictions of Part IV – Noise Control of this Bylaw do not apply to:

- a. A Person operating an Emergency Vehicle in the normal course of that Person's employment;
- b. A Person acting in the normal course of that Person's employment as a Town Employee (or as an agent under contract by the Town);
- c. The normal operation of a bell or buzzer of a school building or religious establishment; and
- d. A Person sounding an alarm or warning to announce a fire or other emergency event (unless the event is determined by emergency response officials to be a false alarm).

24. PERMITTED EXEMPTIONS TO PART IV – NOISE CONTROL

- a. A Person may make written application to the Chief Administrative Officer for a permit allowing for activities that would otherwise violate this Bylaw.
- b. Any application to the Chief Administrative Officer made pursuant to Section 24(a) must be made in writing at least 5 business days prior to the event or activity and must be in a form approved by the Chief Administrative Officer.

- c. The Chief Administrative Officer may, in writing, alter, suspend or revoke a permit issued by their office in accordance with Section 24(a) if
 - i. the permit was issued in error;
 - ii. the permit was issued based on incorrect information supplied to the Town;
 - iii. the permit issued is in violation of any other Bylaw or resolution; or
 - iv. circumstances exist whereby the Chief Administrative Officer, acting reasonably, determines that the permit should be altered, suspended or revoked.

25. SOUND LEVEL READINGS

For this section "Approved Device" means a noise level meter used to measure sound pressure levels which meets the IEC 61672 class 2 or the British Standard No. 3539 Part I, or the International Standard ANSI S1.4-1983 (R2006)/ANSI S1.4a-1985 (R2006) or is otherwise approved by the CAO.

- a. A Peace Officer is hereby authorized to measure sound levels with an Approved Device.
- b. An Approved Device shall be operated in accordance with the manufacturers' operating guide.
- c. Any sound level reading taken with an Approved Device shall be taken from outside the Property from which the sound is emanating.
- d. When sound emanates from or is caused by Property in contravention of this Bylaw, the Owner of the Property may be deemed to have committed or permitted the contravention.

PART V – ENFORCEMENT

26. INSPECTION

A Designated Officer may, after giving reasonable notice, inspect Property in accordance with section 542 of the Act.

27. DIRECTION

If a Peace Officer is of the opinion that a Property is a Nuisance, Derelict Property or Unsightly Property, or fails to comply with maintenance standards set out in section 9 of this Bylaw, the Peace Officer may issue a warning letter, a Municipal Tag, a Violation ticket and an enforcement Order to the Owner or Occupant of the Property. The Peace Officer may use one or more of these tools as appropriate.

28. OFFENCE

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

29. CONTINUING OFFENCE

In the case of an offence that is a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

30. VICARIOUS LIABILITY

For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed to also be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

31. CORPORATIONS AND PARTNERSHIPS

- a. When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- b. If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

32. FINES AND PENALTIES

- a. A Person who is guilty of an offence under this Bylaw is liable to a fine in an amount not less than that established in Schedule "A" and not exceeding \$10,000.00, and to imprisonment for not more than six months for non-payment of a fine.
- b. Without restricting the generality of Section 32(a) the following fine amounts are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered:
 - i. A fine as prescribed in Schedule A; or
 - ii. \$250.00 for any offence for which a fine is not otherwise established in this section;
 - iii. \$100 for any offence under sections 7 and 8;
 - iv. double these amounts for any subsequent offence.

33. MUNICIPAL TAG

- a. A Peace Officer may issue, with respect to an offence under this Bylaw, a Municipal Tag specifying the fine amount established by this Bylaw.
- b. Where a Municipal Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

34. PAYMENT IN LIEU OF PROSECUTION

A Person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this Bylaw for the offence and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

35. VIOLATION TICKET

- a. Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, the Peace Officer may commence proceedings against the Person by issuing a Violation ticket pursuant to the *Provincial Offences Procedures Act*.
- b. A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
 - i. specifying the fine amount established by this Bylaw for the offence; or
 - ii. requiring a Person to appear in Court without the alternative of making a voluntary payment.

36. VOLUNTARY PAYMENT

Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

37. ORDER TO COMPLY

If the CAO or Peace Officer believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, the CAO or Peace Officer may, by written Order, require any Person responsible for the contravention to remedy it, in accordance with the Act.

38. OBSTRUCTION

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

PART VI – GENERAL

39. POWERS OF THE CAO

Without restricting any other power, duty or function granted by this Bylaw the CAO may:

- a. Carry out any inspections to determine compliance with this Bylaw;
- b. Take any steps or carry out any actions required to enforce this Bylaw;
- c. Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- d. Collect fees and recover expenses associated with remedying a contravention of this Bylaw from the Owner or Occupant in accordance with Schedule “B” and recover the expense thereof under the provisions of the *Municipal Government Act*;
- e. Establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of Property and such procedures may differ depending on the type of Property in question;
- f. establish areas where activities restricted by this Bylaw are permitted;
- g. establish forms for the purposes of this Bylaw;
- h. issue permits with such terms and conditions as are deemed appropriate;
- i. establish the criteria to be met for a permit pursuant to this Bylaw; and
- j. delegate any powers, duties or functions under this Bylaw to an employee of the Town.

40. PERMITS

- a. A Person to whom a permit has been issued pursuant to this Bylaw, and any Person carrying out an activity otherwise regulated, restricted or prohibited by this Bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.
- b. A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this Bylaw.
- c. If any term or condition of a permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, the CAO may immediately cancel the permit.

41. PROOF OF PERMIT

The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted or prohibited by this Bylaw is on the Person alleging the existence of such a permit on a balance of probabilities.

42. CERTIFIED COPY OF RECORD

A copy of a record of the Town, certified by the CAO as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the Person signing it.

43. NUMBER AND GENDER REFERENCES

All references in this Bylaw shall be interpreted with the necessary adjustments in number and gender, as appropriate, to apply to individuals, corporations, or partnerships.

44. ENFORCEMENT OF THIS BYLAW

The Town is not required to enforce this Bylaw. In deciding whether to enforce this Bylaw, the Town may consider any practical concerns, including available municipal budget and personnel resources.

45. SEVERABILITY

Should any provision of the Bylaw be declared to be invalid, then such invalid provision shall be severed, and the remaining Bylaw shall be maintained.

46. REPEAL

Upon coming into force, Bylaw no. 929-86 and Bylaw no. 1375-11 are repealed.

47. EFFECTIVE DATE

This Bylaw comes into force and effect upon the date of passing of third and final reading and it is signed.

INTRODUCED AND GIVEN FIRST READING this 25TH day of March, A.D., 2025.

Mayor

Chief Administrative Officer

GIVEN SECOND READING AS AMENDED this 8th day of April, A.D., 2025.

Mayor

Chief Administrative Officer

GIVEN THIRD AND FINAL READING this 8th day of April, A.D., 2025..

Mayor

Chief Administrative Officer

BYLAW NO. 1597-25**SCHEDULE "A" - PENALTIES**

Offence	Section	1st Offence Fine	2nd Offence Fine	3rd Offence Fine
PART II – PROPERTY MAINTENANCE				
Permit a Nuisance to exist on land	6	\$250	\$500	\$1000
Ice and snow on Sidewalk	7	\$100	\$200	\$400
Nuisance or long grass on Boulevard or back lanes	8	\$100	\$200	\$400
Permit a Nuisance to exist on a building	9	\$100	\$200	\$400
Disposal of waste on another private Property	12	\$100	\$200	\$400

Offence	Section	1st Offence Fine	2nd Offence Fine	3rd Offence Fine
PART III – OUTDOOR LIGHTING AND CAMPING WITHIN TOWN LIMITS				
Nuisance lighting	13	\$100	\$200	\$300
Camp in any area of Town which is not designated as a camping area, or without approval	14	\$100	\$200	\$400
Failure to remove camping unit, temporary shelter or tent at the direction of a Peace Officer	14	\$250	\$200	\$400

Offence	Section	1st Offence Fine	2nd Offence Fine	3rd Offence Fine
PART IV – NOISE CONTROL				
Cause sound exceeding permitted levels during Daytime Hours	16	\$250	\$500	\$1000
Cause sound exceeding permitted levels during Quiet Hours	17	\$250	\$500	\$1000
Permit/cause construction noise During Quiet Hours	17	\$250	\$500	\$1000
Permit/cause maintenance noise during Quiet Hours	19	\$250	\$500	\$1000
Permit/load or unload Commercial Vehicle during Quiet Hours	20	\$250	\$500	\$1000
Outdoor P A system exceeds 75 DBA	21	\$250	\$500	\$1000

Person makes or continue noise/loud Sound within Hospital Zone	22	\$250	\$500	\$1000
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BYLAW NO. 1597-25

SCHEDULE “B” – RECOVERABLE EXPENSES

OFFENCE	SECTION	SPECIFIED AMOUNT
PART II – PROPERTY MAINTENANCE		
Rectify a Nuisance on land	6	Actual Cost Incurred
Remove ice and snow on Sidewalk	7	Actual Cost Incurred
Rectify Nuisance of long grass on Boulevard or back lanes	8	Actual Cost Incurred
Rectify Nuisance on a building	9 & 10	Actual Cost Incurred
Rectify disposal of waste on another private Property	12	Actual Cost Incurred
Administration Fee	7	\$50