



*Town of Bonnyville
"It's Multi-Natural"*

TOWN OF BONNYVILLE
BYLAW NO. 1375-11
COMMUNITY STANDARDS BYLAW

TABLE OF CONTENTS

PART I – PURPOSE, DEFINITIONS AND INTERPRETATION	4
Purpose	4
Definitions	5
Rules for Interpretation	6
PART II – PROPERTY MAINTENANCE	6
Definitions	6
Highway Occupancy	6
Land	6
Sidewalks	7
Boulevards and Back Lanes	7
Buildings	8
Unoccupied Buildings	8
Waste Bins	9
Refrigerators and Freezers	9
Waste Disposal	9
PART III – NOISE CONTROL	10
Definitions	10
General Prohibition	12
Unreasonable Loud, Raucous or Unusual Sounds.....	12
Specific Prohibitions	12
Daytime Restriction	12
Quiet Hours	13
Construction Work	13
Outdoor Maintenance Work	13
Commercial Vehicle Loading/Unloading	13
Outdoor Public Address Systems	13
Hospital Zone	13
Exemptions	13
Specific Exemptions to Part III – Noise Control	13
Permitted Exemptions to Part III – Noise Control.....	14
Sound Level Readings.....	14
PART IV – ENFORCEMENT	14
Offence	14
Continuing Offence.....	15
Vicarious Liability	15
Corporations and Partnerships.....	15
Fines and Penalties	15
Municipal Tag	16
Payment in Lieu of Prosecution	16
Violation Ticket	16
Voluntary Payment	16
Order to Comply	16



Obstruction	17
PART V – GENERAL	18
Powers of the C.A.O.	18
Permits	18
Proof of Permit	19
Certified Copy of Record	19
Number and Gender References	19
PART VI – TRANSITIONAL AND COMING INTO FORCE	19
Effective Date	19
Repeals	19



WHEREAS, pursuant to the *Municipal Government Act*, a Council may pass bylaws for municipal purposes respecting the following matters:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) nuisances, including unsightly property;
- (c) the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the following:
 - (i) the creation of offences;
 - (ii) for each offence, imposing a fine not exceeding \$10,000 or imprisonment for not more than one year, or both;
 - (iii) providing for imprisonment for not more than one year for non-payment of a fine or penalty;
 - (iv) providing that a person who contravenes a bylaw may pay an amount established by bylaw and if the amount is paid, the person will not be prosecuted for the contravention;
 - (v) providing for inspections to determine if bylaws are being complied with; and
 - (vi) remedying contraventions of bylaws; and

AND WHEREAS pursuant to the *Safety Codes Act* a Council may make bylaws respecting the following matters:

- (a) Minimum maintenance standards for buildings and structures; and
- (b) Unsightly or derelict buildings or structures;

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

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

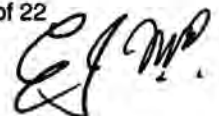
PURPOSE

1. The purpose of this bylaw is to regulate the conduct and activities of people on privately owned property and immediately adjacent areas in order to promote the safe, enjoyable and reasonable use of such property for the benefit of all citizens of the Town of Bonnyville.

DEFINITIONS

2. In this bylaw, unless the context otherwise requires:

- (a) **"Boulevard"** means that part of a highway 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;
- (b) **"Town"** means the Town of Bonnyville;
- (c) **"C.A.O."** means the Chief Administrative Officer of the Town or his delegate;
- (d) **"Highway"** has the same meaning as in the *Traffic Safety Act*; 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;
- (e) **"Motor vehicle"** has the same meaning as in the *Traffic Safety Act*,
 - (i) a vehicle propelled by any power other than muscular power, or
 - (ii) a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails;
- (f) **"Municipal tag"** means a ticket alleging an offence issued pursuant to the authority of a bylaw of the Town;
- (g) **"Occupy" or "occupies"** means residing on or to be in apparent possession or control of property;
- (h) **"Own" or "owns"** means:
 - (i) in the case of land, to be 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, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;
- (i) **"Person"** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (j) **"Property"** means a parcel of land including any buildings;
- (k) **"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
- (l) **"Violation ticket"** has the same meaning as in the *Provincial Offences Procedure Act*; rules for interpretation;

RULES FOR INTERPRETATION

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

PART II - PROPERTY MAINTENANCE

DEFINITIONS

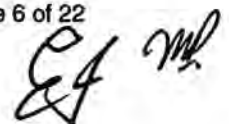
- 4. In this Part, **"building"** includes a structure and any part of a building or structure placed in, on or over land whether or not it is so affixed to become transferred without special mention by a transfer or sale of the land.

HIGHWAY OCCUPANCY

- 5. 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.

LAND

- 6. (1) A person shall not cause or permit a nuisance to exist on land they own or occupy.
- (2) For the purpose of greater certainty a 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:
 - (a) 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;

- (b) any loose litter, garbage or refuse whether located in a storage area, collection area or elsewhere on the land;
- (c) damaged, dismantled or derelict vehicles or motor vehicles, whether insured or registered or not;
- (d) smelly or messy compost heaps;
- (e) unkempt grass or weeds higher than 20 centimetres;
- (f) production of excessive dust, dirt or smoke;
- (g) production of any generally offensive odours;
- (h) animal remains, parts of animal remains, or animal feces;
- (i) any tree, shrub, other type of vegetation or any structure:
 - (i) that interferes or could interfere with any public work or utility;
 - (ii) that obstructs any sidewalk adjacent to the land; or
 - (iii) that impairs the visibility required for safe traffic flow at any intersection adjacent to the land; and
- (j) 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; and
- (k) any accessible excavation, ditch, drain or standing water that could pose a danger to the public; and
- (l) any construction project or activity not completed within four years of the date the building 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.

SIDEWALKS

7. A person shall maintain any sidewalk adjacent to land they own or occupy clear of all snow and ice in accordance with Bylaw No. 1160-99 of the Town of Bonnyville and any amendments thereto or replacements thereof.

BOULEVARDS AND BACK LANES

8. A person shall maintain any boulevard and back lane adjacent to land they own or occupy by:
- (a) keeping any grass on the boulevard or back lane cut to less than 20 centimetres; and



- (b) keeping the lands clear of any nuisance; and
- (c) removing any accumulation of fallen leaves or other debris.

BUILDINGS

9. (1) A person shall not cause or permit a nuisance to exist in respect of any building on land they own or occupy.
- (2) For the purpose of greater certainty a nuisance, in respect of a building, means a building 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:
- (a) any damage to the building;
 - (b) any graffiti displayed on the building that is visible from any surrounding property;
 - (c) any rot or other deterioration within the building; and
 - (d) 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.

UNOCCUPIED BUILDINGS

10. (1) If a building normally intended for human habitation is unoccupied then any door or window opening in the building may be covered with a solid piece of wood but only if the wood is:
- (a) installed from the exterior and fitted within the frame of the opening in a watertight manner;
 - (b) of a thickness sufficient to prevent unauthorized entry into the building;
 - (c) secured in a manner sufficient to prevent unauthorized entry into the building; and
 - (d) coated with an opaque protective finish in a manner that is not detrimental to the surrounding area.
- (2) 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 person who owns the property.



WASTE BINS

11. (1) 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:
- (a) equipped with a lid or cover capable of completely covering the waste bin; and
 - (b) kept closed or covered at all times except for actual loading or unloading of waste.
- (2) 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:
- (a) kept closed or covered at all times except for actual loading or unloading of waste; or
 - (b) contains only material that will not emit odour and will not be blown out of the bin.

REFRIGERATORS AND FREEZERS

12. (1) A person shall not place, cause or permit to be placed a refrigerator, 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.
- (2) Without limiting the generality of subsection (1) measures considered to be effective may include:
- (a) the complete removal of the door for the appliance;
 - (b) the removal of the door handle mechanism if this prevents opening and closing of the door;
 - (c) the removal of the door hinges;
 - (d) locking the appliance; or
 - (e) otherwise wrapping or containing the appliance so that the interior is inaccessible.

WASTE DISPOSAL

13. A person shall not place, cause or permit to be placed any litter, garbage, refuse or other waste material upon the privately owned property of another person.



PART III – NOISE CONTROL

DEFINITIONS

14. In this Part, "**Approved Device**" means a noise level meter used to measure sound pressure levels which approved device meets the International Electro-Technical Commission Standard No. 651 type 2 or the British Standard No. 3539 Part I, or the International Standard (ANSI) 1.4-1983;

"**Bylaw**" means a Town bylaw, and includes any amendments thereto;

"**Commercial Vehicle**" means a truck, trailer or semi-trailer, except

- (a) a truck, trailer or semi-trailer that is a public service vehicle, or
- (b) a truck, trailer or semi-trailer or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle,

and includes:
 - (c) a motor vehicle from which sales are made of goods, wares, merchandise or commodity, and
 - d) a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof.

"**Council**" means the Council of the Town of Bonnyville.

"**Court**" means the Provincial Court of Alberta;

"**Daytime hours**" means all hours outside of Quiet Hours;

"**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;

"**Emergency Vehicle**" means

- (a) a Vehicle operated by a Peace Officer or police service as defined in the Traffic Safety Act R.S.A. 2000, Ch T-6., as amended,
- (b) a fire-fighting or other type of Vehicle operated by the fire protection service,
- (c) an ambulance operated by a person or organization providing ambulance services,
- (d) a vehicle operated as a gas, power or water disconnection unit of a public utility,
- (e) a vehicle designated by Traffic Safety Act, R.S.A. 2000, c T-6, as an emergency response unit; or



- (f) a helicopter used by police service or by emergency response service personnel.

"Holiday" includes:

- (a) New Year's Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Labour Day, Remembrance Day and Christmas Day,
- (b) December 26, or when that date falls on a Sunday or a Monday, then December 27,
- (c) 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
- (d) 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;

"Hospital Zone" means an area which

- (a) is designated as such by signs or other devices, or
- (b) 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;

"Land Use Bylaw" means Bylaw No. 1262-05 and includes any amendments thereto or replacements thereof;

"Operator" means a Person who drives a vehicle or operates equipment as the Owners thereof, or as the Owners agent, employee, servant or lessee;

"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;

"Peace Officer" means a Person employed for the purposes of preserving and maintaining the public peace, and includes

- (a) a Peace Officer with authority within the Town of Bonnyville,
- (b) a Bylaw Enforcement Officer authorized to enforce this Bylaw in accordance with his or her appointment; and
- (c) a member of the Royal Canadian Mounted Police.

"Quiet Hours" means

- (a) Monday through Friday between 10:00 pm and 7:00 am (local time),
- (b) Saturday between 10:00 pm and 7:00 am (local time) and
- (c) Sunday and Holidays between 10:00 pm and 9:00 am (local time);



"Residential District" is as referenced or defined in the Land Use Bylaw;

"Schedule" means a schedule attached to and forming part of this Bylaw;

"Section" means a section of this Bylaw;

"Subsection" means a subsection of this Bylaw;

"Traffic Bylaw" means Bylaw 1160-99 and includes any amendments thereto or replacements thereof.

GENERAL PROHIBITION

Unreasonable Loud, Raucous or Unusual Sounds

15. Except to the extent permitted by this Bylaw, no Person shall make, continue, cause or permit to be made or continued 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.
16. Factors for determining, under Subsection (15), if a sound is unreasonably loud, raucous or unusual include the following:
 - (a) proximity of the sound to sleeping facilities or accommodations, whether residential or commercial;
 - (b) the time of day or night the sound occurs;
 - (c) the duration and volume of the sound; and
 - (d) whether the sound is recurrent, intermittent or constant.
17. A Court may enter a conviction against a Person who violates Sections 15 & 16 notwithstanding that the Person has not exceeded a maximum DBA level specified in Sections 18 – 20 of this Bylaw.

SPECIFIC PROHIBITIONS

Daytime Restriction

18. 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 and:
 - (a) where such sounds measure from 76 to 80 DBA, last for no more than 30 minutes (of elapsed time during a calendar day's Daytime Hours); and
 - (b) where such sounds measure from 81 to 85 DBA, last for more than 15 minutes (of elapsed time during a calendar day's Daytime Hours).
19. 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.



Quiet Hours (General)

20. 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 at the point where the complaint originates.

Construction Work

21. No Person shall carry on, or permit to be carried on, in a Residential District during Quiet Hours, construction, repair, alteration, or demolition work such that sounds produced there from, including those produced by hammering, sawing, drilling and the use of any power tools or construction equipment, may be heard beyond the property line or boundary of the site upon which the activity is being carried out.

Outdoor Maintenance Work

22. 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.

Commercial Vehicle Loading/Unloading

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

Outdoor Public Address Systems

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

Hospital Zone

25. 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 unless it cannot be carried on in some other area, or
 - (b) make or continue any noise or loud sound within the area.

EXEMPTIONS

Specific Exemptions to Part III – Noise Control

The restrictions of part III – Noise Control of this Bylaw do not apply to:

26. A Person operating an Emergency Vehicle in the normal course of that Person's employment;
27. 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);



28. The normal operation of a bell or buzzer of a school building or religious establishment; and
29. 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).

Permitted Exemptions to Part III – Noise Control

30. A Person may make written application to the Town Chief Administrative Officer for a permit allowing for activities that would otherwise violate this Bylaw.
31. Any application to the Chief Administrative Officer made pursuant to Section 30 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.
32. The Chief Administrative Officer may, in writing, alter, suspend or revoke a permit issued by his or her office in accordance with Section 30 if
 - (a) the permit was issued in error;
 - (b) the permit was issued based on incorrect information supplied to the Town;
 - (c) the permit issued is in violation of any other Bylaw or resolution; or
 - (d) circumstances exist whereby the Chief Administrative Officer, acting reasonably, determines that the permit should be altered, suspended or revoked.

Sound Level Readings

33. A Peace Officer is hereby authorized to measure sound levels with an Approved Device.
34. An Approved Device referenced under Subsection (1) shall be operated in accordance within the manufacturers' operating guide.
35. Any sound level reading taken with an Approved Device shall be taken from outside the property from which the sound is emanating.
36. 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 IV – ENFORCEMENT

OFFENCE

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



CONTINUING OFFENCE

38. 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,

VICARIOUS LIABILITY

39. 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.

CORPORATIONS AND PARTNERSHIPS

40. 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.
41. 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.

FINES AND PENALTIES

42. A Person who is guilty of an offence under this Bylaw is liable to a fine in amount 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.
43. Without restricting the generality of subsection (42) the following fine amounts are established for use on municipal tags and violation tickets if a voluntary payment option is offered:
- (a) A fine as prescribed in Schedule A; or
 - (b) \$250.00 for any offence for which a fine is not otherwise established in this section;
 - (c) \$100 for any offence under sections 7 and 8;
 - (d) double these amounts for any subsequent offence



MUNICIPAL TAG

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

PAYMENT IN LIEU OF PROSECUTION

46. 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.

VIOLATION TICKET

47. A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
 - (a) specifying the fine amount established by this Bylaw for the offence; or
 - (b) requiring a person to appear in court without the alternative of making a voluntary payment.

VOLUTARY PAYMENT

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

ORDER TO COMPLY

49. If the C.A.O. or Peace officer believes, on reasonable grounds, that a person is contravening any provision of this bylaw, the C.A.O. or Peace officer may, by written order, require any person responsible for the contravention to remedy it.

The order may:

- (a) direct a person to stop doing something, or to change the way in which the person is doing it;
- (b) direct a person to take any action or measures necessary to remedy the contravention of the 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 action or measure.



50. 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.

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; or
 - (iii) by mail addressed to the individual at their apparent place of residence or at any address for the individual on the tax roll of the Town or at the Land Titles registry;
- (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 to be its address; or
 - (iii) by mail addressed to the registered office of the corporation.

The order may:

- (c) direct a person to stop doing something, or to change the way in which the person is doing it;
- (d) direct a person to take any action or measures necessary to remedy the contravention of the bylaw and, if necessary, the Town will take whatever action or measures are necessary to remedy the contravention;
- (e) indicate that the expenses and costs of any action or measures taken by the Town under this bylaw are an amount owing to the Town by the person to whom the order is circulated;
- (f) indicate that the expenses and costs referred to in this bylaw may be attached to the tax roll of the property if such costs are not paid by a specified time

OBSTRUCTION

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



PART V – GENERAL

POWERS OF THE C.A.O.

52. Without restricting any other power, duty or function granted by this bylaw the C.A.O. 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;
 - (j) delegate any powers, duties or functions under this bylaw to an employee of the Town.

PERMITS

53. 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.
54. 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.
55. 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 C.A.O. may immediately cancel the permit.



PROOF OF PERMIT

56. 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.

CERTIFIED COPY OF RECORD

57. A copy of a record of the Town, certified by the C.A.O. 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.

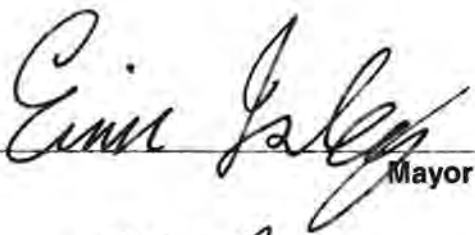
NUMBER AND GENDER REFERENCES


58. All references in this bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

PART VI – TRANSITIONAL AND COMING INTO FORCE

59. This By-Law shall have effect from the date of final passing thereof.
60. Upon the coming into force of this Bylaw, the following bylaws are repealed:
- (a) Bylaw No. 1181-00, The Untidy Premises and Abatement of Nuisances Bylaw
 - (b) Bylaw No. 1322-08, The Noise Bylaw
 - (c) Schedule "C", Section 4.5, Specified Penalty of \$40.00 for Snow, Ice or debris on Sidewalk of Bylaw No. 1160-99, Traffic Safety Bylaw.

INTRODUCED AND GIVEN FIRST READING this 12th of July, A.D., 2011.


Mayor


Chief Administrative Officer

GIVEN SECOND READING AS AMENDED this 12th day of July,
A.D., 2011.



Mayor



Chief Administrative Officer

UPON UNANIMOUS CONSENT TO PROCEED TO THIRD AND FINAL READING
this 12th day of July, A.D., 2011.



Mayor



Chief Administrative Officer

GIVEN THIRD AND FINAL READING this 12th day of July, A.D.,
2011.



Mayor



Chief Administrative Officer

BYLAW NO. 1375-11**SCHEDULE "A" - PENALTIES**

OFFENCE	SECTION	SPECIFIED PENALTY
PART II – PROPERTY MAINTENANCE		
Permit a nuisance to exist on land	6	\$250
Ice and snow on sidewalk	7	\$100
Nuisance or long grass on Boulevard or back lanes	8	\$100
Permit a nuisance to exist on a building	9	\$100
Disposal of waste on another private property	13	\$100

OFFENCE	SECTION	SPECIFIED PENALTY
PART III – NOISE CONTROL		\$250.00
Cause sound exceeding permitted levels during Daytime Hours	15	\$250.00
Cause sound exceeding permitted levels during quiet hours	18 & 19	\$250.00
Cause sound exceeding permitted levels during quiet hours	20	\$250.00
Permit/cause construction noise During quiet hours	21	\$250.00
Permit/cause maintenance noise during quiet hours	22	\$250.00
Permit/load or unload Commercial Vehicle during quiet hours	23	\$250.00
Outdoor P A system exceeds 75 DBA	24	\$250.00
Person make or continue noise/loud Sound within Hospital Zone	25	\$250.00



BYLAW NO. 1375-11

SCHEDULE "B" – RECOVERABLE EXPENSES

OFFENCE	SECTION	SPECIFIED AMOUNT
PART II – PROPERTY MAINTENANCE		
Rectify a nuisance on land	6	Actual Cost Incurred
Rectify ice and snow on sidewalk	7	\$100
Rectify nuisance of long grass on Boulevard or back lanes	8	\$50
Rectify nuisance on a building	9	\$100
Rectify disposal of waste on another private property	13	\$50

A handwritten signature in black ink, appearing to be 'EF MB.', is located in the bottom right corner of the page.