

Bylaw 2023-03

A BYLAW OF LESSER SLAVE RIVER #124 IN THE PROVINCE OF ALBERTA TO REGULATE NEIGHBOURHOOD NUISANCE, SAFETY, PUBLIC BEHAVIOUR AND LIVABILITY.

WHEREAS under the authority and pursuant to the *Municipal Government Act*, RSA 2000, Chapter M- 26, and amendments thereto, Council may pass bylaws respecting nuisances, and may also pass bylaws related to, unsightly, untidy, unsafe, or dangerous property.

AND WHEREAS, the Council of Lesser Slave River #124 may also enact bylaws respecting people, activities, and things in, on, or near a Public Place or a place that is open to the public.

AND WHEREAS, the Council of Lesser Slave River #124 deems it desirable for regulations which affect neighborhood livability to be located, as much as possible, in one bylaw.

AND WHEREAS under the provisions of the *Provincial Offences Procedure Act*, Chapter P-34, R.S.A. 2000, and under the provision of the *Municipal Government Act*, the Council of a municipality may by bylaw provide for the payment of violation tickets or summons out of court.

NOW THEREFORE under the authority and pursuant to the provisions of the said *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Lesser Slave River #124, duly assembled, enacts as follows:

SECTION 1 TITLE

This bylaw is called the "Community Standards and Safety Bylaw".

SECTION 2 DEFINITIONS

In this bylaw, the following words and phrases shall have the following meanings:

- 2(1) "**Act**" means the *Municipal Government Act*, RSA 2000, Chapter M- 26, and amendments thereto.
- 2(2) "**Agricultural Zoned Lands**" means "Agricultural District (A)" as described in the *Land Use Bylaw 2021-17*, and amendments thereto, of Lesser Slave River #124
- 2(3) "**Audible Scare Device**" means a device using sounds to deter animals.
- 2(4) "**Building**" means anything constructed or placed on, in, over or under land, but does not include a Highway or road or bridge that forms part of a Highway or road.
- 2(5) "**Bylaw**" means the *Municipality Community Standards and Safety Bylaw*.
- 2(6) "**CC Valve**" means a shut-off valve that is connected to a service connection enabling the service to be shut off at a homeowner's Property.

- 2(7) "**Cannabis**" means any product composed in whole or part of cannabis as defined by the Cannabis Act.
- 2(8) "**Cannabis Act**" means the *Cannabis Act*, SC 2018, c. 16, and amendments thereto.
- 2(9) "**Chief Administrative Officer**" or "**CAO**" mean the Chief Administrative Officer for the Municipality or his or her designate.
- 2(10) "**Child**" means a person who is or, in the absence of evidence to the contrary, appears to be less than 12 years old, as defined in the *Youth Criminal Justice Act*, SC 2002, c 1, and amendments thereto.
- 2(11) "**Community Event**" means any celebration, event, activity, or thing so designated by resolution of Council.
- 2(12) "**Construction Equipment**" means machinery or equipment typically utilized in the construction process and shall include but not be limited to a riveting machine, concrete mixer, gravel crusher, steam shovel, dragline, backhoe, air or steam compressor, jack-hammer, pneumatic drill, tractor other than a tractor used in a farming operation, bulldozer, front end loader, motor scraper, motor grader, or any other tool, device or machine of a noisy nature.
- 2(13) "**Council**" means the Municipal Council of Lesser Slave River
- 2(14) "**Defecate**" means to discharge waste matters from the bowels.
- 2(15) "**Deleterious Substance**" means any substance that is harmful.
- 2(16) "**Derelict Building**" means a building that is vacant, neglected, poorly maintained or unsuitable for occupancy, which may include a building:
- (a) that is in a ruinous or dilapidated condition.
 - (b) that is detrimental to the surrounding area or in an unsightly condition within the meaning of section 546 of the *Municipal Government Act*, Chapter M-26, RSA 2000.
 - (c) that is in such a state of disrepair as to be no longer suitable for human habitation or business purposes.
 - (d) that is potentially dangerous and an allurement to children.
 - (e) that constitutes a hazard to the health or safety of the public.
 - (f) that is unsightly in relation to neighboring properties because the exterior finish of the building or structure is not maintained; or
 - (g) that is a fire hazard to itself or to surrounding lands or Buildings.
- 2(17) "**Designated Officer**" means any Peace Officer, or Bylaw Officer employed by the Municipality.
- 2(18) "**Electronic Smoking**" or "**Vaping Device**" means an electronic device that can be used to deliver a vapor, emission or aerosol to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.
- 2(19) "**Graffiti**" means words, figures, letter or drawings scribbled, scratched, sprayed or applied by any other means on a surface without the consent of the Owner of the Building or Property on which they

are placed.

- 2(20) **"Hamlets and Subdivisions"** means the hamlets or subdivisions of Canyon Creek, Chisholm, Widewater, Wagner, Nine Mile Point, Martin Beach, Smith, Flatbush and any additional unincorporated community designated by Council as a Hamlet in accordance with section 59 of the Act.
- 2(21) **"Harassment"** means any single or repeated incident of objectionable or unwanted verbal or physical conduct, contact, attention, demands, jokes, comments, insults or actions by a person that the person knows or ought reasonably to know will or would cause offence, humiliation or adversely affect the health and safety of another person; including any form of discrimination or bullying based on race, religious beliefs, color, sexual orientation, gender, gender identity or expression, physical or mental disability, age, ancestry, place of origin, marital status, source of income, or family status.
- 2(22) **"Highway"** as defined in the Traffic Safety Act, RSA, 2000 c. T-6 and amendments thereto.
- 2(23) **"Holiday"** means any day declared as such by Municipal, Provincial or Federal authority and includes Sundays.
- 2(24) **"Junked Vehicle"** means a Vehicle that:
- (a) is in a wrecked, partly wrecked, dismantled, partly dismantled, inoperative, unregistered, uninsured, or abandoned condition; or
 - (b) is determined to be not roadworthy and is not located in a building or on a property such that it is concealed from view;
- unless the Vehicle forms part of a business enterprise which deals with such Vehicles in the ordinary course of its business, and the business is appropriately licensed, is in possession of a development permit which allows for this use in such a manner and is in full compliance with all the terms and conditions of its permit and licenses.
- 2(25) **"Legitimate Reason"** means traveling to/from a child's place of residence to attend public, school, athletic, educational, or religious events or to take part in volunteering activities which are organized and supervised by adults.
- 2(26) **"Litter"** means refuse, garbage or waste located on any private or Public Land within the Municipality, which is not contained in a garbage receptacle authorized by Municipality bylaw, or the throwing, placing, leaving, or depositing of Litter, as the context may require.
- 2(27) **"Loiter"** means to stand idly around, hang around, linger, tarry, saunter, delay, or dawdle creating an obstruction by rendering impassable any street, road, sidewalk or any other area of public passage, causing interference with or intrusion upon the passage upon any street, road, sidewalk or any other area of public passage of any person.
- 2(28) **"Motor Vehicle"** or **"Vehicle"** means Motor Vehicle as defined in the *Traffic Safety Act*, RSA, 2000, c. T-6 and amendments thereto.
- 2(29) **"Municipality"** means Lesser Slave River #124
- 2(30) **"Noise"** means any sound which in the opinion of the Peace Officer, having regard for all circumstances, including the time of day and the nature of the activity generating the sound, is likely

to unreasonably annoy or disturb Persons or to injure, endanger or detract from the comfort, enjoyment, repose, health, peace, or safety of Persons within the Municipality.

- 2(31) **"Nuisance"** for the purpose of this Bylaw means any use of or activity upon any Property which in the opinion of a Peace Officer or other designated officer is dangerous to health, or has or may have a detrimental impact upon any Person or other Property in the vicinity, or which creates an unreasonable interference with the use or enjoyment of other Property, and without limiting the generality of the foregoing, includes the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any Property, where the same are accumulated and become in a dilapidated and unsightly condition whether or not their posting or exhibiting is permitted by this or any other bylaw, and also includes an unsightly or dangerous structure, excavation or hole within the meaning of section 546 of the Act.
- 2(32) **"Occupant"** means a Person occupying a property or a Person who has rented, leased or has permission to use the Property.
- 2(33) **"Occupant of Land"** includes the Owner of any lot or parcel of land within the Municipality whether a dwelling place is present on the land or not. For the purposes of this Bylaw the "Occupant of Land" shall also be deemed to be the Occupant of that portion of any Highway within the Municipality and subject to the direction, management, and control of the Municipality and which adjoins his or her land and lies between the boundary of his or her land and the middle line of the Highway.
- 2(34) **"Off Highway Vehicle"** is as defined in the *Traffic Safety Act*, RSA, 2000, c. T-6 and amendments thereto.
- 2(35) **"Owner"** means the Person who is a registered Owner of a Property or who has any other ownership interest in a property.
- 2(36) **"Panhandling"** means the personal, verbal and direct solicitation by a Person of gratuitous donations of money, foods or goods of any kind from any member of the public but does not include a solicitation allowed or authorized pursuant to the *Charitable Fundraising Act*, RSA 2000, c. C-9, and amendments thereto.
- 2(37) **"Parent"** or **"Guardian"** means the actual parent, guardian or foster parent of a child and any other person 18 years of age or over who has the care and control of a child.
- 2(38) **"Peace Officer"** means any sworn member of the Royal Canadian Mounted Police, or a Peace Officer appointed under the *Peace Officer Act*, SA 2006, P-3.5 and amendments thereto and employed by the Municipality.
- 2(39) **"Permit"** means a written Permit issued by the Chief Administrative Officer and or his/her designate.
- 2(40) **"Person"** or **"Persons"** includes a corporation or other form of body corporate or other legal construct and their successors or assigns, and individuals and their heirs, executors, administrators, other legal representatives or assigns.
- 2(41) **"Property"** means any parcel of land, Buildings, or any personal property located thereupon within the Municipality.

- 2(42) **"Provincial Offences Procedure Act"** means the *Provincial Offences Procedure Act*, RSA 2000 c, P-34 and amendments thereto.
- 2(43) **"Public Building"** means any Buildings owned or occupied by the Municipality.
- 2(44) **"Public Health Act"** means the *Public Health Act*, RSA 2000, c P-37 and amendments thereto.
- 2(45) **"Public Lands"** means all lands under the ownership or direction and control of His Majesty the King in the right of Canada, His Majesty the King in the right of Alberta, or the Municipality, or any combination thereof.
- 2(46) **"Public Place"** means any place within the Municipality to which the public may have either express or implied access, or any part of a building, structure or other enclosed area owned by the Municipality to which members of the public have access as of right or by express or implied invitation.
- 2(47) **"Public Transit Bus"** means a vehicle offered for public transportation and owned or operated by or on behalf of the Municipality.
- 2(48) **"Quiet Time"** means the time or times designated by section 5(1) of this Bylaw.
- 2(49) **"Refuse"** means junked or disposed of articles including but not limited to solid wastes, woods, metals, tires, broken dishes, tins, glass, rags, cast-off clothing, wastepaper, cardboard, food containers, food wrappers, grass cuttings, shrubbery and tree pruning, weeds and garden waste, Junked Vehicles, Vehicle parts, residential furnishings, household appliances, animal feces, garbage bags and all other discarded materials.
- 2(50) **"Residential Premises"** means any structure that is used or intended to be used wholly or partly for accommodation purposes and includes:
- (a) an apartment building or condominium;
 - (b) a dormitory;
 - (c) a private dwelling;
 - (d) a hotel or motel;
 - (e) a lodging house;
 - (f) a mobile home, trailer or modular structure;
 - (g) a rooming house, or
 - (h) any other structure that is intended for residential purpose.
- 2(51) **"Residential Zoned Lands"** means the "Residential Districts" as described in the Land Use Bylaw 2021-17, and amendments thereto, of Lesser Slave River #124.
- 2(52) **"Sidewalk"** means that portion of a Highway between the curb lines, or the lateral lines of a roadway, and the adjacent Property lines, intended for the use of pedestrians apart from the areas chosen by the Municipality to be designated winter snow reservoir areas.
- 2(53) **"Smoke"** or **"Smoking"** mean to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, hookah pipe, or other lighted or heated device or apparatus designed to burn or heat tobacco, cannabis, shisha or any other weed or substance for the purpose of inhaling or tasting its emissions,

as well as the emissions themselves.

2(54) **"Spit"** means to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth.

2(55) **"Urinate"** means to discharge urine from the body.

2(56) **"Unsafe Property"** means a property which, in the opinion of a Peace Officer, is (a) dangerous to public safety or (b) dangerous to Property.

2(57) **"Unightly Property" or "Untidy Property"** mean:

- (a) a property that because of its condition or the accumulation of Refuse is detrimental to the use and enjoyment of the surrounding area or neighboring properties;
- (b) in respect of a Building, includes a Building whose exterior shows signs of significant physical deterioration, serious disregard for general maintenance, upkeep or repair, or which constitutes a Nuisance;
- (c) in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep, or which constitutes a Nuisance; and
- (d) unsightly Property within the meaning of section 546 of the Act.

2(58) **"Vape" or "Vaping"** means the use of an Electronic Smoking or Vaping Device.

2(59) **"Violation Tag"** means a ticket or similar document issued by a Peace Officer on behalf of the Municipality.

2(60) **"Violation Ticket"** means a ticket issued pursuant to *Provincial Offences Procedure Act*.

2(61) **"Water Meter"** means an instrument for recording the quantity of water passing through an outlet.

SECTION 3 PROPERTY NUISANCES AND SAFETY

3(1) No Owner or Occupant of any Property shall allow the Property which they own or occupy to be or to become an Unsafe Property, Unightly Property, Untidy Property or a Nuisance.

3(2) No Owner or Occupant of any land shall allow a Derelict Building to remain on the land at any time.

3(3) No Person shall have, permit or allow a Junked Vehicle to remain in or on Residential Premises for more than fourteen (14) successive days.

3(4) No Owner or Occupant of a Property shall have or allow in or on the Property, the accumulation of:

- (a) any material that creates unpleasant odor;
- (b) any material likely to attract animals, pests or wildlife; or
- (c) animal remains, parts of animal remains or animal feces.

3(5) No Owner or Occupant of a Property shall have or allow the open or exposed storage on the Property of any industrial fluid, including engine oil, brake fluid, anti-freeze and gasoline.

- 3(6) No Owner or Occupant of a Property shall have or allow the following to accumulate on the Property such that the accumulation is visible to a Person viewing the Property from outside the Property:
- (a) loose garbage and bagged garbage;
 - (b) bottles, cans, boxes or packaging materials;
 - (c) household furniture or other household goods;
 - (d) automobile parts;
 - (e) parts of or disassembled machinery, equipment or appliances;
 - (f) yard waste, including grass, tree and hedge cuttings, leaves and refuse; and/or
 - (g) one or more Junked Vehicles, or trailers.
- 3(7) No Owner or Occupant of a Property shall allow a discarded refrigerator or freezer to remain on the Property without first ensuring that the hinges and latches, or lid or doors of the unit have been removed.
- 3(8) Notwithstanding section 3(7), it shall not be an offence for an Owner or Occupant of a Property to have or allow a discarded refrigerator or freezer to remain on the Property if:
- (a) the refrigerator or freezer is not visible to a Person viewing the Property from outside the Property; and
 - (b) the refrigerator or freezer always remains locked with a padlock and key or similar device.
- 3(9) No Owner or Occupant of a Property shall have or allow any discarded appliance to remain on the Property such that the appliance is visible to a Person viewing the Property from outside the Property.
- 3(10) The Owner and/or Occupant of all private Property shall:
- (a) cut the grass on said Property as well on any boulevard which abuts, flanks, or adjoins the Property to a height of 15 centimeters or less; this includes lanes or alleys at the rear or side of the Premises or Property;
 - (b) eradicate noxious weeds;
 - (c) remove from the Property any dead grass, brush, rubbish, or anything else which is considered Untidy or Unsightly;
 - (d) remove or prune trees that in any way interfere with or endanger the lines, poles, conduits, pipes, sewer, or other works of the Municipality or a public utility;
 - (e) repair, paint, and generally maintain or remove fences and other similar structures on the Property;
 - (f) repair, paint, and generally maintain private recreation areas such as the play space in mobile home parks and multiple family developments; and
 - (g) ensure that Graffiti placed on their property is removed, painted over, or otherwise permanently blocked from public view within 30 days.
- 3(11) No Owner or Occupant of Property shall have or allow on the Property the accumulation of materials, whether new or used, unless that Owner or Occupant can establish that a construction or renovation project is being carried out on the Property and that:
- (a) the project has begun, or the beginning of work is imminent.
 - (b) the materials found on the Property relate to the project taking place on the Property in a quantity reasonable to complete the project; and

(c) the work on the project has not been suspended for a period in excess of sixty days.

This section does not include the accumulation of waste or Refuse generated from the project.

- 3(12) An Owner or Occupant of a Property shall ensure that all building materials referred to in section 3(11) that are stored on the Property are stacked or stored in a neat and orderly manner.
- 3(13) Notwithstanding anything in section 3(11), it shall not be an offence to store a small amount of neatly stacked materials on a Property for basic Property maintenance.
- 3(14) No person shall allow smoke from an approved open burning fire to become or remain a Nuisance to any other Person.
- 3(15) No person shall permit an open fire upon land owned or occupied by them or under their control within the Municipality while a Provincial Fire Ban is in effect.

SECTION 4 SIDEWALKS

- 4(1) The Occupant or Owner of any Property situated along a Highway shall be responsible for removal of snow, ice, dirt, debris or other material from the Sidewalk, where present, within seventy-two (72) hours after the snow, ice, dirt, debris or other material is deposited thereon by any means whatsoever.
- 4(2) No Person shall place snow, ice, dirt, debris or other material onto the Highway, any Public Place or on private Property other than their own.
- 4(3) If any Property situated along a Highway in the Hamlets of the Municipality is found not to be in compliance with section 4(1) of this Bylaw; a Peace Officer or other designated officer may issue a compliance notice, either verbally or in writing by leaving a printed compliance notice in a conspicuous place on the Property, or an Order under section 545 of the Act.
- 4(4) If any Occupant or Owner fails to comply with section 4(1) of this Bylaw, the Municipality may carry out the removal of snow, ice, dirt, debris or other material or contract out the removal with all costs and expenses involved being charged to the Owner of the Property and any unpaid costs or expenses incurred by the Municipality may be added to the tax roll of the Property to be recovered in like manner as with other taxes pursuant to the Act.

SECTION 5 NOISE ABATEMENT and LIGHT POLLUTION

- 5(1) Quiet Time within the Municipality shall be between the hours of 11:00 PM and 07:00 AM on weekdays and Saturdays and between the hours of 11:00 PM and 09:00 AM on Holidays and Sundays.
- 5(2) Except to the extent permitted by the Bylaw, no Person shall:
- (a) disturb the peace and quiet of another Person by causing or creating Noise within the Municipality at any time;
 - (b) operate within the Municipality a Motor Vehicle that causes Noise; or
 - (c) operate within the Municipality an Off-Highway Vehicle that causes Noise.

- 5(3) No Owner shall allow Property they own to be used in such a way that there is Noise originating from the Property.
- 5(4) A Peace Officer may direct any Person who has caused or made Noise, or any Person who owns Property from which Noise has originated, to abate or eliminate the Noise. Such a direction may be either verbal or written.
- 5(5) Where an activity which is not specifically prohibited by any federal, provincial or municipal laws or regulations, including this Bylaw and which involves creating or making a sound which is or may become Noise, the Person engaging in such activity shall do so in such manner as to create as little sound or Noise as practicable under the circumstances.
- 5(6) No Person shall, during Quiet Time, load or unload Motor Vehicles within or adjacent to any Residential Zoned Land.
- 5(7) No Person shall, during Quiet Time, without the written approval of the Chief Administrative Officer or his/her designate carry-on construction of any type which, without restricting the generality of the foregoing, involves hammering, sawing or the use of any Construction Equipment capable of creating a sound which may be heard beyond the boundaries of the Property on which the activity is being carried out.
- 5(8) No Person shall, during Quiet Time, operate a lawn mower, snow removal machine, chain saw, or any other motor driven machine within or adjacent to any Residential Zoned Land.
- 5(9) No Person shall own, keep, or harbor any animal including dogs, cats, rabbits, or other domestic animal or bird which by its cries or sounds disturbs the peace, quiet, rest, or tranquility of the surrounding neighborhood or the public at large.
- 5(10) No Person shall operate or allow to be operated any sound amplifying equipment from, or which may be heard in, any Public Place without the written approval of the Chief Administrative Officer, or his designate, who may impose conditions on such operations.
- 5(11) No person shall operate Engine Retarder Brakes when driving within the Municipality.
- 5(12) The Chief Administrative Officer may upon written request issue a Permit to a Person for the purpose of temporarily exempting the Person or activity from the Noise provisions of this Bylaw.
- 5(13) A Permit issued under this Bylaw shall:
- (a) include the dates and hours during which Noise may occur;
 - (b) name and address of Person or organization requesting the exemption;
 - (c) telephone number of Person or organization requesting the exemption;
 - (d) include a fee of \$50.00 payable to the Municipality; and
 - (e) be produced to a Peace Officer upon demand.
- 5(14) Persons owning or controlling Construction Equipment, and Persons owning or controlling land on which Construction Equipment is being operated, shall be exempt from section 5(2)(a) of this Bylaw if:

- (a) the Noise is generated pursuant to work done in the normal manner to the industry;
- (b) the Noise is generated other than during Quiet Time; and
- (c) all necessary federal, provincial and municipal permits, licenses and approvals have been obtained and the work is not contrary to any federal, provincial or municipal laws or regulations.

5(15) Section 5 of this Bylaw does not apply to:

- (a) public works carried on by the Municipality or its agents, contractors, servants or employees acting within the scope of the agency, contract, or employment;
- (b) Community Events;
- (c) agricultural use of equipment or an Audible Scare Device that is a minimum of 500 meters away from occupied Residential Premises (other than premises occupied by the Person(s) utilizing the device);
- (c.1) persons in possession of certificate/authorization issued by the Minister per Part 1 of the Agricultural Operation Practices Act, RSA 2000, c. A-7; and
- (d) persons in possession of a Permit issued under section 5(12) of this Bylaw, provided they comply with the terms and conditions of such Permit.

5(16) No person shall cause or permit outdoor lighting located on a Property the Own or Occupy to be directed so that the light generated:

- a) disturbs the peace of another individual;
- b) unreasonably affects the use or enjoyment of another Property; or
- c) interferes with traffic safety on any Highway.

SECTION 6 COMPLIANCE NOTICE BY A PEACE OFFICER OR DESIGNATED OFFICER

6(1) Where any Property in the Municipality is in the opinion of a Peace Officer or other designated officer to be Untidy, Unsightly, Unsafe or a Nuisance; the Peace Officer or other Designated Officer may give notice in writing to a Person who is under a duty imposed by this Bylaw to prevent such a condition to remedy the same, and the Peace Officer or other Designated Officer may direct that this be done in such a manner as the Peace Officer or other Designated Officer deems advisable on or before a day to be specified in the notice.

6(2) A Peace Officer or other Designated Officer shall allow at least fourteen (14) days from the date of delivery of a notice for its compliance or in extenuating circumstances such lesser or another period as may be appropriate.

6(3) A Peace Officer or other Designated Officer may serve a notice by:

- (a) delivering it or sending it by ordinary or registered mail to the Owner or Occupant of the Property;
- (b) posting it to the door of a building or in any other conspicuous place on the Property, and service is effective on the day of the posting; or
- (c) delivering it in person or mailing it to any Owner, Occupant or agent of the Owner or Occupant, and service is effective upon receipt or deemed receipt.

SECTION 7 PROPERTY INSPECTIONS

- 7(1) A Peace Officer is authorized to enter any land, Building or Property to inspect for conditions that may constitute a contravention of this Bylaw in accordance with section 542 of the Act.
- 7(2) No person shall prohibit or interfere with a Peace Officer conducting an inspection authorized under section 7(1) of this Bylaw.

SECTION 8 PUBLIC NUISANCES

- 8(1) No person, in or near a Public Place or Public Building, shall obstruct, hinder or interrupt the passage of vehicles, traffic or pedestrian traffic through, from or to such Public Place or Public Building.
- 8(2) No person, in or near a Public Place or Public Building, shall disturb the free use and enjoyment of the Public Place or Public Building by any other person or violate any bylaw, rule, regulation, or posted notice approved by Council or any person in control of, maintaining or supervising the Public Place or Public Building.
- 8(3) No person shall:
- (a) Litter in or on a Public Place or private Property;
 - (b) Tip, damage, interfere with or remove trash from any public waste bin;
 - (c) Urinate in or on a Public Place or any place the public is allowed access, other than in a facility designed and intended for such use;
 - (d) Defecate in or on a Public Place or any place the public is allowed access, other than in a facility designed and intended for such use;
 - (e) Spit on any street, Sidewalk, pathway, trail or in or on any Public Place or any place the public is allowed access;
 - (f) Loiter in a Public Place;
 - (g) Engage in Panhandling;
 - (h) Stand, sleep or put their feet on the top surface of any table, bench, planter or sculpture placed in any Public Place or Public Building; or
 - (i) Use a privately owned waste receptacle unless the Person has the legal right to do so;
- 8(4) No Person shall create or apply Graffiti on any Building or object in a Public Place without the prior approval of the Owner and Council.
- 8(5) No Person shall, without lawful excuse, have in their possession any instrument suitable for the purpose of applying Graffiti, under circumstances that give rise to a reasonable inference that the instrument has been used or is or was intended to be used for such purpose.
- 8(6) Any Owner who wishes to allow Graffiti to be placed on their property must first obtain written approval from Council prior to allowing the Graffiti to be placed on the Property.
- 8(7) In addition to any other penalty under this Bylaw, any person who violates this section may be directed to leave from or vacate the Public Place or Public Building by a Peace Officer and the failure to comply with the direction of a Peace Officer is an offense.

SECTION 9 HARASSMENT/FIGHTING

- 9(1) No Person shall, in or near any Public Place or any place to which the public reasonably has access:
- (a) interrupt or disrupt the normal course of events or activities by (i) fighting, screaming, shouting, swearing, or using insulting or obscene language, (ii) being intoxicated or inebriated by alcohol or another drug or substance, or (iii) impeding or harassing other persons;
 - (b) communicate, cause or permit communication, either directly or indirectly using any medium, with any person in a way that would cause a person, reasonably under any circumstances, to feel intimidated, bullied or the subject of Harassment;
 - (c) participate, encourage, or support any person engaged in an act of intimidation, bullying or Harassment, under any circumstances, whether of another person or a group of persons;
 - (d) cast, project or throw any object, rocks or stones, balls of snow or ice or other missiles or cause any object to be a projectile, including any firework, or use any bow or arrow, catapult, or other such device on any of Highway or Public Place of the Municipality in any manner which is dangerous to the public; or
 - (e) participate in a fight or other similar physical confrontation.
- 9(2) Any Person who contravenes section 9(1) is guilty of an offence.

SECTION 10 SEWER AND WATER

- 10(1) No person shall:
- (a) Bypass a water meter;
 - (b) Operate a CC Valve without written authorization from the Municipality;
 - (c) Operate a hydrant without written consent from the Municipality;
 - (d) Fail to connect to municipal sewer and water system by the given date;
 - (e) Dump sewage onto public or private property;
 - (f) Tie sump pump into sewer system, or weeping tile;
 - (g) Discharge Deleterious Substance into lagoon;
 - (h) Be non-compliant with an issued permit.

SECTION 11 TOBACCO AND SMOKING

- 11(1) No Person shall Smoke or Vape:
- (a) in any Public Building or a Public Transit Bus;
 - (b) in or on an (i) outdoor skating rink, (ii) playground, (iii) skate park, (iv) sports field, or (v) outdoor park or recreation area to which the public has access as of right or by express or implied invitation; or
 - (c) within 5 meters of an entrance or exit to any Public Building.
- 11(2) No person shall remove, alter, conceal, deface or destroy any sign posted indicating that smoking is prohibited pursuant to this Bylaw.
- 11(3) Notwithstanding anything contained in this Bylaw, the prohibitions set out in section 11(1) do not apply to any Residential Premises and surrounding land on the same lot or parcel.

SECTION 12 CANNABIS

12(1) No person shall Smoke, Vape or consume Cannabis within the boundaries of the Municipality, except for:

- (a) private Property where such use has been authorized by the Owner and is permitted under provincial legislation or the *Cannabis Act*; and
- (b) in an authorized designated area where a Permit has been issued under section 13(5) of this Bylaw.

SECTION 13 DESIGNATED AREAS

13(1) Notwithstanding section 12, a person may Smoke, Vape or consume Cannabis in a Public Place at an Event for which a Permit has been granted by the Chief Administrative Officer.

13(2) The Chief Administrative Officer may impose conditions on a Permit granted pursuant to section 13(1).

13(3) The Chief Administrative Officer may suspend or revoke a Permit issued pursuant to section 13(1) if the Chief Administrative Officer determines that a Permit holder or any Person at an Event for which a Permit has been issued has contravened any federal or provincial legislation, this Bylaw or conditions of the Permit.

13(4) The holder of a Permit issued pursuant to section 13(1) must ensure that:

- (a) the Smoking, Vaping or consumption of Cannabis is only permitted in the designated area identified in a Permit issued pursuant to section 13(1), separate and fenced off from the remainder of the Event;
- (b) the designated area for the Smoking, Vaping or consumption of Cannabis is a minimum of 15 meters away from the Event as well as any other designated alcohol or Smoking area;
- (c) alcohol is not consumed in the designated area for the Smoking, Vaping or consumption of Cannabis;
- (d) the sale of Cannabis is not permitted in the designated area for the Smoking, Vaping or consumption of Cannabis; and
- (e) any advertising or other materials relating to the promotion of Cannabis cannot be seen by Persons under the age of 18.

13(5) A Permit issued pursuant to section 13(1) shall:

- (a) include the name, address, and phone number of the Person or organization applying for the permit;
- (b) include a fee of \$50.00 payable to the Municipality; and
- (c) be produced to a Peace Officer upon demand.

13(6) Council may by resolution designate areas on Public Lands under the ownership or direction and control of the Municipality in which Cannabis may be Smoked, Vaped or consumed.

SECTION 14 OBSTRUCTION

14(1) No person shall provide false information or interfere with a Peace Officer while engaged in the

execution of their duties.

SECTION 15 ENFORCEMENT

15(1) A Peace Officer is hereby authorized and empowered to issue a violation ticket pursuant to the current *Provincial Offences Procedure Act* to any person who has contravened any provisions of this Bylaw.

SECTION 16 PENALTY

16(1) Any Person who contravenes any provisions of this Bylaw is guilty of an offence and liable upon summary conviction.

- (a) to a specified penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw;
or
- (b) where no specific penalty is specified, a penalty to be imposed in the discretion of the Court having jurisdiction, having regard to section 7(i) of the Act.

16(2) A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provisions of this Bylaw.

16(3) Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay the Municipality the penalty specified on the Violation Tag.

16(4) If the penalty specified on the Violation Tag is not paid within the prescribed period, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

16(5) The issuance of a compliance notice under section 6 of this Bylaw does not prevent or preclude a Peace Officer from issuing a Violation Tag imposing a payment or fine as set out in Schedule "A" of this Bylaw every day until the Nuisance has been remedied.

16(6) Notwithstanding anything else in this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any Person who the Peace Officer has reasonable grounds to believe has contravened any provisions of this Bylaw.

SECTION 17 LEGAL

17(1) The Municipality, any Peace Officer or any Person who inspects any Property under this Bylaw or any Person who performs any work on behalf of the Municipality to remedy a Nuisance is not liable for any damages caused by the inspection, the work or disposing of anything referred to in a compliance notice, an Order to Remedy Contraventions under s. 545 of the Act or an Order to Remedy Dangers and Unsightly Property under s. 546 of the Act.

SECTION 18 SEVERABILITY

18(1) All sections of this Bylaw are separate and severable. Should any part, section, or subsection of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason; the remaining parts, sections, and subsections shall remain valid and in full force and effect.

SECTION 19 REPEAL

19(1) That Bylaw 2006-06 (Noise Bylaw) and 2007-05 (Nuisance Bylaw) are hereby repealed upon this bylaw coming into effect.

SECTION 20 EFFECTIVE DATE

20(1) This Bylaw shall come into effect upon passing of the third reading.

THAT BYLAW 2023-03 BE GIVEN FIRST READING THIS 14th DAY OF June 2023.

THAT BYLAW 2023-03 BE GIVEN SECOND READING THIS 14th DAY OF June 2023.

THAT BYLAW 2023-03 BE GIVEN THIRD READING THIS 14th DAY OF June 2023

THAT BYLAW 2023-03 BE SUBMITTED FOR THIRD AND FINAL READING THIS 14th DAY OF June 2023.



Reeve


Chief Administrative
Officer

SCHEDULE "A"
The Community Standards Bylaw 2023-03
SPECIFIED PENALTIES

Section	Offence	Penalty
3(1)	Untidy, Unsightly, Unsafe or Nuisance Property	\$500.00
3(2)	Derelict Building	\$500.00
3(3)	Having a Junked Vehicle in any part of a yard	\$500.00
3(4)	Having accumulation of material that creates unpleasant odor/attracts animals/animal remains/ parts of animal remains/animal feces	\$500.00
3(5)	Having open/exposed storage of industrial fluids	\$500.00
3(6)	Having accumulation of Refuse on Property	\$500.00
3(7)	Fridge/freezer hinges/latches not removed	\$500.00
3(8)	Fridge/freezer on Property not properly locked	\$500.00
3(9)	Having discarded appliance on Property	\$500.00
3(10)(a)	Failing to cut grass below specified height	\$200.00
3(10)(b)	Failing to eradicate noxious weeds	\$500.00
3(10)(c)	Failing to remove dead grass, brush, rubbish from Property	\$500.00
3(10)(d)	Failing to remove or prune trees that interfere/endorange lines/ poles/ conduits/ pipes/ sewers/ other works of a municipality/other public utility	\$500.00
3(10)(e)	Failing to repair/paint/generally maintain/remove derelict fences/other construction	\$500.00
3(10)(f)	Failing to repair/paint/maintain private recreation areas	\$200.00
3(10)(g)	Failing to remove/paint over/permanently block Graffiti	\$300.00
3(11)	Having accumulation of building materials on Property	\$500.00
3(12)	Failing to stack/store building materials/orderly manner	\$500.00
3(14)	Allowing smoke to be a Nuisance	\$200.00
3(15)	Allow / permit an open fire during Provincial Fire Ban	\$5,000.00
4(1)	Failing to remove snow/ice/dirt/debris/other material	\$200.00
4(2)	Placing snow/ice/dirt/debris/other material on a Highway/in a Public Place/on private property	\$5,000.00
5(2)(a)	Disturbing the peace-anytime	\$400.00
5(2)(b)	Motor Vehicle causing excessive Noise	\$400.00
5(2)(c)	Off Highway Vehicle causing excessive Noise	\$400.00
5(3)	Owner allowing Noise	\$400.00
5(6)	Loading/Unloading Vehicles/residential area during quiet hours	\$400.00
5(7)	Engaging in construction during quiet hours	\$400.00
5(8)	Operating motor driven machine during quiet hours	\$400.00
5(9)	Having an animal that disturbs the peace	\$400.00
5(10)	Operating sound amplifying equipment that disturbs the peace	\$400.00
5(11)	Operating engine retarder brake	\$400.00

5(15)(d)	Failing to comply with the terms and conditions of a Noise Permit	\$400.00
5(16)	Place or permit auxiliary light to illuminate neighboring property.	\$400.00
7(2)	Prohibiting/interfering with a Peace Officer conducting an Inspection under s 7(1)	\$500.00
8(1)	Obstruct, hinder, or interrupt passage of vehicles or pedestrians	\$300.00
8(2)	Disturb free use or enjoyment of Public Place or Buildings	\$300.00
8(3)(a)	Littering	\$500.00
8(3)(b)	Tipping/damaging/interfering with/removal trash from public waste bin	\$500.00
8(3)(c)	Urinating in public	\$500.00
8(3)(d)	Defecating in public	\$500.00
8(3)(e)	Spitting in public	\$500.00
8(3)(f)	Loitering in a Public Place	\$300.00
8(3)(g)	Engaging in Panhandling	\$300.00
8(3)(h)	Standing/placing feet on top of/or surface of/table/ bench/planter or sculpture	\$100.00
8(3)(i)	Use a privately owned waste receptacle for personal waste	\$200.00
8(4)	Creating or applying Graffiti	\$800.00
8(5)	Possessing instrument for the purpose of applying Graffiti	\$200.00
9(1)(a)	Cause disruption of normal course of activities	\$800.00
9(1)(b)	Harassment of a person(s)	\$800.00
9(1)(c)	Encourage/Cheer on a person committing offence	\$800.00
9(1)(d)	Use object in a manner dangerous to the public	\$800.00
9(1)(e)	Participate in a fight in a Public Place	\$800.00
10(1)a	Bypass water meter	\$500.00
10(1)b	Operate a Curb Stop without Municipal permit.	\$500.00
10(1)c	Operate a hydrant without Municipal permit.	\$500.00
10(1)d	Fail to connect to Municipal sewer and water system by date.	\$500.00
10(1)e	Dump sewage onto public or private property.	\$5,000.00
10(1)f	Tie sump pump into sewer system or weeping tile.	\$500.00
10(1)g	Discharge non-compliant substance into lagoon.	\$5,000.00
10(1)h	Be non-compliant with issued permit.	\$500.00
11(1)(a)	Smoke/Vape in Public Buildings or a Public Transit Bus	\$300.00
11(1)(b)	Smoke/Vape within prescribed distance of an outdoor park, recreation area or rink	\$300.00
11(1)(c)	Smoke/Vape within five meters of entrance/exit of Public Buildings	\$300.00
11(2)	Remove/ alter/ conceal/ deface or destroy signage	\$300.00
12(1)	Smoke/Vape/consume Cannabis in a prohibited area	\$300.00
13(4)	Failing to comply with the terms and conditions of a Cannabis Event Permit	\$500.00
14(1)	Obstruct a Peace Officer	\$500.00
16(5)	Failing/neglecting/refusing to remedy a Nuisance <i>per day</i>	\$500.00