

**TOWN OF REDCLIFF  
BYLAW NO. 1982/2025**

**A BYLAW OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA TO  
PROMOTE THE MAINTENANCE OF PROPERTY AND TO REGULATE NUISANCES,  
UNSIGHTLY PROPERTY AND CONDITIONS OR SITUATIONS WHICH ARE  
DANGEROUS TO PUBLIC HEALTH AND SAFETY**

**WHEREAS** pursuant to the *Municipal Government Act, R.S.A 2000, Chapter M-26 as amended*, Council may pass Bylaws respecting nuisances, including unsightly property; the safety, health and welfare of people; and the protection of people and property;

**AND WHEREAS** the Council of the Town of Redcliff deems it necessary to implement a Bylaw to establish and enforce minimum standards relating to the state of and maintenance of property, to regulate, control and abate nuisances, and to regulate untidy and unsightly premises within the Town of Redcliff;

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

**PART 1  
SHORT TITLE & DEFINITIONS**

**SHORT TITLE**

1. This Bylaw shall be known and cited as the "**Nuisance and Unsightly Premises Bylaw**" of the Town of Redcliff.

**DEFINITIONS**

2. In this Bylaw, unless the context otherwise requires:
  - a) "**Animal Material**" means any animal excrement, offal, carcasses, or parts, thereof, including all materials accumulated on a property from pet pens, yards, stables, veterinary clinics, hospitals, kennels, or feed lots.
  - b) "**Board**" means the Town's Subdivision and Development Appeal Board.
  - c) "**Building Material**" means any construction material which may result from the construction, renovation, or demolition or any structure that includes, but is not limited to, wood, gypsum, vinyl siding, metal, bricking, packaging material and containers of construction material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation, or demolition of any structure.
  - d) "**CAO**" means the person appointed to the position of Chief Administrative Officer for the Town, by Council, within the meaning of the *Municipal Government Act* of Alberta. This position may also be referred to as the *Municipal Manager*.
  - e) "**Council**" means the Mayor and Councillors of the Town of Redcliff duly elected pursuant to the provisions of the *Local Authorities Elections Act* of Alberta.



- f) **"Dangerous Condition"** means the condition of any property, premises, structure or improvement or any part thereof, which is likely or probably hazardous or dangerous to public health and safety and shall include without limiting the generality of the foregoing:
- i) a refrigerator, ice box or freezer, which is not being used for the storage of perishable goods and is equipped or fitted with a door that cannot be opened from the inside;
  - ii) an excavation or hole that is not safeguarded to prevent persons from falling into such excavation or hole.
- g) **"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.
- h) **"Derelict Vehicle"** means the whole or any part of a motor vehicle or farm equipment that:
- i) is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, or inoperative condition and is not located in a building or on a property such that it can be concealed from view.
  - ii) has no current license plate attached to it and has not been issued a registration certificate for the current year, or
  - iii) is inoperative by means of removed parts or equipment and is not located within a building or on a property such that it can be concealed from view.
- i) **"Detrimental to the Surrounding Area"** includes causing the decline of the market value of property in the surrounding area.
- j) **"Emergency"** means a situation in which there is an imminent danger to public safety or of serious harm to property.
- k) **"Fence"** means a vertical barrier which is used to prevent or restrict passage, to provide visual screening, sound attenuation, yard décor, protection from the elements, or to mark a property line or other boundary.
- l) **"Graffiti"** means words, figures, letters, drawings, initials, symbols, marks, or slogans that are applied, etched, painted, stained, scribbled, scratched, or sprayed on a surface of a premises or property without the consent of the owner, unless otherwise approved by the Town of Redcliff.
- m) **"Improvement"** means:
- i) a structure;
  - ii) anything attached or secured to a structure that would be transferred without special mention by a transfer or sale of the structure.

- iii) a designated manufactured home; and
  - iv) machinery and equipment.
- n) **"Municipal Government Act"** means the *Municipal Government Act, RSA 2000, Chapter M-26*, and the respective regulations thereafter as amended from time to time.
- o) **"Nuisance"** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.
- i) the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period more than six minutes in any one hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council.
  - ii) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas.
  - iii) drawing, painting, or writing of any signs or messages upon public or private property, except with the prior permission of the owner of the property.
- p) **"Occupant"** means any person who has lawful possession, resides in, or occupies any land, parcel of land or building within the municipal boundaries of the Town of Redcliff but is not an owner.
- q) **"Owner"** means:
- i) in respect of land, any person who is registered under the *Land Titles Act* (Alberta) as the owner of the fee simple estate in the land or parcel of land within the municipal boundaries of the Town of Redcliff, or any person shown or designated as the owner pursuant to the current Tax Roll of the Town of Redcliff;
  - ii) in respect of property other than land, the person in lawful possession of it.
- r) **"Peace Officer"** means a person appointed by the Town to enforce provisions of this Bylaw, including a Bylaw Enforcement Officer, a Peace Officer in accordance with the *Peace Officer Act, R.S.A 2006, Chapter P-36* and includes a member of the Royal Canadian Mounted Police.
- s) **"Person"** means an individual, trustee, legal representative, proprietor, body corporate, association, or partnership.

- t) **"Pest"** means an animal, bird, reptile, or insect that may, in the opinion of a Designated Officer, cause annoyance or harm to a Person, animal, plant, or other property, including but not limited to an organism declared as a Pest or a Nuisance pursuant to the *Agricultural Pests Act, RSA 2000, c A-8* as amended from time to time.
- u) **"Premises"** means a residence, store, office, warehouse, factory, building, enclosure, yard, or other place occupied, or capable of being occupied, by any person.
- v) **"Property"** means the parcel of land and improvement, or a parcel of land and the improvements to it. Property shall also include the adjacent boulevard, and the land directly behind the rear of the property from the property line to the mid-point of the laneway or one (1) meter beyond rear property line if abutting a Public Reserve area.
- w) **"Reasonable State of Repair"** means buildings and structures that are:  
i) structurally sound.  
ii) free from damage or deterioration.  
iii) free from graffiti visible to public view.  
iv) safe for their intended use, and  
v) so as not to present a Nuisance.
- x) **"Remedial Order"** means a written notice issued pursuant to this Bylaw to remedy a condition that is not in compliance with any provision of this Bylaw or any applicable Bylaw within the Town of Redcliff including the Land Use Bylaw or an order written pursuant to Section 545 of the *Municipal Government Act*, Revised Statutes of Alberta 2000 Chapter M-26 and amendments thereto.
- y) **"Structure"** means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground not including pavement, curbs, walks, open air surfaced areas, and moveable vehicles.
- z) **"Town"** means the Town of Redcliff, a municipal corporation in the Province of Alberta.
- aa) **"Unightly Property"** means any Premises or Property as described in Part 3 of this Bylaw.
- bb) **"Utilities"** means a system or works used to provide services such as potable water, sewage disposal, waste management, storm systems, distribution of gas, or distribution of electric power, as well as the buildings that house the utility and any equipment.
- cc) **"Violation Tag"** means a notice or tag in such a form as may be prescribed from time to time by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw directly to the Town.

- dd) **“Violation Ticket”** means a summons by means of a violation ticket (Part 2) or an offence notice by means of a violation ticket (Part 3) in accordance with the provisions of the *Provincial Offences Procedure Act* of Alberta.
- ee) **“Weeds”** means the definitions found in the *Weed Control Act*, Statutes of Alberta 2008 Chapter W-5.1 and amendments thereto.
- ff) **“Yard Material”** means organic matter formed as a result of gardening or horticultural activities, including grass, tree, and hedge cuttings and clippings.

## PART 2 GENERAL REGULATIONS

### NUISANCES, UNSIGHTLY CONDITIONS AND DANGEROUS CONDITIONS – PROHIBITION

- 3. No Person, being the Owner or Occupant of any Property or Premises within the Town, shall cause, allow, or permit such Property or Premises, or any activity upon such Property or Premises, to be or remain a Nuisance as defined by this Bylaw.
- 4. No Person shall cause, allow, permit, or undertake any activity upon any Town Property which is a Nuisance as defined by this Bylaw.
- 5. No Person, being the Owner or Occupant of any Property or Premises within the Town, shall permit or allow such Property or Premises to be or remain in an Unsightly Condition as defined by this Bylaw.
- 6. No Person, being the Owner or Occupant of any Property or Premises within the Town, shall cause, allow, or permit such Property or Premises to be or remain in a Dangerous Condition as defined by this Bylaw.
- 7. No Person shall create or apply graffiti to any Property or Premises within the Town. Every Owner or Occupant of a Property or Premises shall ensure that any graffiti placed on their Property or Premises is removed, painted over, or otherwise permanently blocked from public view unless authorized by the Town.
- 8. Notwithstanding Section 7, street painting, graphic art, street art, murals, and other similar artwork on buildings, specified areas and on sidewalks may be allowed where sanctioned and authorized by the Town.

## PART 3 PROPERTY MAINTENANCE

### UNTIDY AND UNSIGHTLY PROPERTY

- 9. Untidy and Unsightly Property is Property, whether land, buildings, improvements to land or buildings, personal property or any combination of the above, located within the Town of Redcliff, which in the opinion of a Peace Officer, the CAO, or the Town Council is



characterized by visual evidence of a lack of general maintenance and upkeep or the excessive accumulation on the premises or property.

10. Factors which may be considered in determining whether a property is Untidy and Unightly include the following, but are not limited to:
- a) a building or structure that is deteriorated, damaged or in a ruinous or derelict state including but not limited to significant fading, chipping, or peeling or painted areas; broken or missing windows, siding, shingles, shutters, eaves, and other building materials on any building or improvement;
  - b) presence of unauthorized graffiti that is visible from any surrounding Property;
  - c) 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;
  - d) grass and/ or weeds 15cm in height or taller. This includes the presence of prohibited and restricted noxious weeds;
  - e) the presence of trees, shrubs, and/or other vegetation in such a manner that they interfere with the use of or obstruct visibility of signage, roads, sidewalks, roadway clearance, municipal or public utilities;
  - f) accumulation of Animal Material, Building Material, or Yard Material;
  - g) excessive storage or accumulation on Premises of:
    - i) Any rubbish, refuse, trash, papers, packages, containers, bottles, cans, sewage, dirt, soil, gravel, rocks, sod, petroleum products, hazardous recyclables, substances and wastes as defined in the *Environmental Protection and Enhancement Act*, household dishes and utensils, boxes, cartons, fabrics, and household goods.
    - ii) The whole or any part of any motor vehicle as defined under the *Traffic Safety Act*, as amended, as well as any tractor or implement of husbandry, which has no current license attached to it and in respect of which no registration certificate has been issued for the current year, or which is derelict.
    - iii) Equipment or machinery which has been rendered inoperative by reason of disassembly, age, or mechanical condition, including household appliances.
    - iv) Any other form of scrap, litter, garbage, and refuse.

### **NUISANCE PROPERTY**

11. Every Owner or Occupant shall take reasonable steps to prevent attracting, sustaining, or the breeding of Pests on their Property. This includes preventing stagnant water from remaining on any portion of the Property and becoming a breeding place for mosquitoes

- or other pests.
12. No Owner or Occupant of a Premises shall permit, allow, or cause water to flow or be directed from a hose or similar device on the Premises directly towards an adjacent Premises where it is likely that the water from the hose or similar device will enter the adjacent Premises.
  13. The Owner or Occupant of a Premises shall ensure that any rainwater downspout or eavestrough on the Premises is directed towards:
    - a) The front of the Premises;
    - b) The rear of the Premises; or
    - c) A side yard that does not abut another Premises.
  14. No Owner or Occupant of a Premises shall allow, permit, or cause any water, other than storm water approved through a site drainage plan, from a Premises to directly drain onto public property or road right-of-way, without first obtaining permission from the Town.
  15. No Owner or Occupant shall cause, permit, or allow dense smoke, dust, noxious or offensive odors to be omitted from a Premises and into the atmosphere from any lands, buildings, or premises, that negatively impacts another Person's comfort or peaceful enjoyment of their Property.
  16. In determining if any odor, smoke, or dust is reasonably likely to disturb another Person, the following criteria may be considered, but is not limited to:
    - a) the type, frequency, intensity, or duration of the odor, smoke, or dust;
    - b) the time of day and day of the week;
    - c) the weather and ambient conditions;
    - d) the proximity to neighboring properties;
    - e) the nature and use of the surrounding area; and
    - f) the effects of the odor, smoke, or dust.

### **PROPERTY STANDARDS**

17. Every Owner or Occupant shall ensure that the Premises is maintained in a Reasonable State of Repair, including but not limited to the repair or maintenance of:

B  
TDC

- a) significant deterioration of any buildings, structures, or improvements, or portions thereof.
  - b) broken or missing windows, siding, shingles, shutters, eavestroughs, or other related improvements.
  - c) graffiti placed on the Premises is removed, painted over, or otherwise blocked from public view.
18. Every Owner of an Unoccupied Building shall ensure that any door or window is secured in such a manner that does not contribute to the Property becoming Unsightly.
19. If an Owner or Occupant neglects to repair or maintain a damaged or deteriorating fence, the Town may require the owner of the Property to repair, rehabilitate, or replace their portion of fence through the enforcement of this Bylaw. The maintenance and/ or replacement of any fence shall be the sole responsibility of the Owner.
20. No Owner or Occupant of a premises shall permit any excavation, depression, drain, ditch, pond, surface water, refuse or other matter of thing to be or to remain a danger to public health or safety.

#### **CONTROL OF GRASS, TREES, WEEDS, AND UNMAINTAINED VEGETATION**

21. An Owner or Occupant of a Property or Premises shall:
- a) cut or mow uncontrolled grass or other vegetation on the Property or Premises to ensure it does not exceed 15cm in height. This includes, on any boulevard which abuts or adjoins the Premises, and up to the center of any alley at the rear or side of the Premises;
  - b) prune all trees or shrubs that encroach upon public property, interfere with any public utility, traffic control devices, or curb sight lines that are, or could be, a public or traffic safety hazard. This includes lines, poles, conduits, pipes, sewer, sidewalks, boulevard, roadway alleys or other works of the Town of Redcliff or utility of the company on the Property or Premises. Any vegetation overhanging a sidewalk, boulevard, roadway, or alley, shall be pruned back to reach a height no less than three (3) meters above the sidewalk, boulevard, roadway, or alley.
  - c) destroy prohibited or restricted weeds if specified by a Peace Officer or Weed Inspector pursuant to the *Weed Control Act*, Statutes of Alberta 2008, Chapter W-5.1 and amendments thereto.
22. Where branches, foliage, roots, or other parts of trees, shrubs or other vegetation growing on the Property extends beyond the property lines, and are interfering with or obstructing a line, lighting, roads, sewers, or other public works of the Town, a Peace Officer may authorize, with or without notice to the Owner of the Property, the immediate removal of any such interference or obstruction.



**AUTHORITY TO ENTER PREMISES**

- 23 A Peace Officer is hereby authorized in accordance with Section 542 of the *Municipal Government Act* to enter any Property or Premises other than a dwelling unit after giving reasonable notice to the owner of the premises or property to be inspected; and to inspect for conditions that contravene or fail to comply with any provisions of this Bylaw.
- 24 A Peace Officer, when investigating an alleged contravention of this Bylaw, is hereby authorized to enter upon any premises or property other than a dwelling unit, to inspect for conditions that may contravene the provisions of this Bylaw. A Peace Officer may thereafter issue a written order to the owner to remedy any condition(s) of the subject premises or property that have been found to be in contravention of this Bylaw.

**OBSTRUCTION**

25. No Person shall obstruct, hinder, or impede any Peace Officer in the exercise of any of their powers or duties under this Bylaw.
26. If a person refuses to allow or interferes with the entry, inspection, enforcement, or action OR refuses to produce anything to assist in the inspection, remedy, enforcement, or action, the Municipality may apply to the Court of King's Bench for an order under Section 543(2) of the *Municipal Government Act*.

**REMEDIAL ORDER**

27. If a Peace Officer considers any Property or Premises to be in contravention of any provision of this Bylaw, the Peace Officer may in accordance with Section 546 of the *Municipal Government Act* issue a written Remedial Order and serve upon the Owner or Occupant of such Property or Premises, directing the Owner or Occupant to remedy the contravention ("Remedial Order").
28. Every Remedial Order shall be in writing and contain the following:
- a) indicate the Person to whom it is directed.
  - b) identify the Property or Premises to which the Remedial Order relates by municipal address or legal description.
  - c) identify the date that it is issued.
  - d) identify or state how the Property or Premises fails to comply with this Bylaw.
  - e) identify the specific provisions of the Bylaw that the Property or Premises contravenes.
  - f) identify, with reasonable particulars, the nature of the remedial action required to be taken to bring the Property or Premises into compliance.

- g) the deadline for completion of the remedial action required. The deadline for completion of the remedial action must not be less than fourteen (14) days from the date of service of the order and must not be greater than thirty (30) days from the date of service of the order.
  - h) indicate that if the remedial action is not completed within the specified time, the Town may take whatever actions or measures are necessary to remedy the contravention.
  - i) indicate that the expenses and costs of any action or measures taken by the Town under this Section will be an amount owing to the Town by the Person to whom the Remedial Order is directed.
  - j) indicate the expenses and costs referred to in this Section may be attached to the Tax Roll of the Property, if such costs are not paid within a specified time.
  - k) indicate that an Appeal lies from the Remedial Order to the Board, if a Notice of Appeal is filed, in writing, with the Town within a certain specified time following receipt of the Remedial Order.
29. The Peace Officer shall not give less than seven (7) days from the date of the notice being issued for compliance with the notice. During this period for compliance, a person may appeal against the notice with the appeals section of this Bylaw.

#### **SERVICE OF DOCUMENT, ORDER OR NOTICE**

30. Service of any document, order or notice required to be served pursuant to this Bylaw, may be served either:
- a) personally, upon the Person, Owner or Occupant required to be served.
  - b) by prepaid, registered mail at the address of:
    - i) the Owner, as shown on the Tax Roll.
    - ii) the Person or Occupant, other than the Owner, at the last known mailing address.
  - c) in the case of a corporation, personally upon any director or officer of the corporation or, alternatively, by prepaid, registered mail at the address of the registered office of the corporation.
31. If service is effected by prepaid, registered mail, service will be deemed to have been received five days following the mailing of the document, order or notice.
32. A Remedial Order issued pursuant to this Bylaw may be served personally upon the Owner or Occupant of the Property or Premises to which it relates or may be left with a Person over the age of eighteen (18) years at the Property or Premises.



33. If, in the opinion of a Peace Officer, service of the Remedial Order cannot be reasonably effected, or if the Peace Officer believes that the Owner or Occupant of the Property or Premises is evading service, the Officer may post the Remedial Order in a conspicuous place on the Property or Premises to which the Remedial Order relates, or on the private dwelling place of the Owner of the Property or Premises, as registered at the Land Titles Office or on the municipal Tax Roll of the Property or Premises, and the Remedial Order shall be deemed to have been served upon the expiry of **three (3) days** after the Remedial Order is posted.

#### **FAILURE TO COMPLY WITH A REMEDIAL ORDER**

34. When an Owner or Occupant fails to remedy a contravention of this Bylaw within the time allowed in an order to remedy issued under this Bylaw, the Town of Redcliff may exercise its powers under Sections 546.1, 549 or 550 of the *Municipal Government Act* in its discretion, including but not limited to entering upon the premises or property to perform or complete the work necessary to remedy the violation of this Bylaw. The costs incurred may be charged against the premises or property as a special assessment to be recovered in the same manner as other taxes and in accordance with Sections 553, 553.1 or 553.2 of the *Municipal Government Act*.
35. Every person who fails to comply with a written remedial order issued pursuant to this section within the time set out in the written order commits an offence.

#### **APPEALS**

36. The Owner or Occupant to whom a Remedial Order is directed may request a review of the Remedial Order by written notice to Council:
- a) within fourteen (14) days of the receipt of the Remedial Order relating to a Nuisance.
  - b) within seven (7) days of the receipt of the Remedial Order relating to an Unsightly or Dangerous Condition.
  - c) or such longer period as may be specified in the Remedial Order.
37. A Review of Remedial Order must be in writing, signed by the Owner or Occupant or their authorized agent and shall state:
- a) the name of the Owner or Occupant;
  - b) the municipal address or legal description of the Property or Premises to which the Remedial Order being appealed relates to;
  - c) the nature or grounds for the Review;
  - d) the address at which documents relating to the Review can be delivered.

38. A Review of Remedial Order shall be delivered personally, or be sent by prepaid, registered mail to the Town, within the time specified in the Bylaw or in the Remedial Order.
39. A Review of Remedial Order shall be accompanied by a deposit of the amount specified in Schedule "A".
40. The deposit made under section 39 shall be refunded if the appellant is successful in their Appeal.
41. Upon review of the Order, Council may confirm, vary, substitute, or cancel the Order.
42. An Owner or Occupant affected by a decision of Council may appeal to the Court of King's Bench, in accordance with Section 548 of the Act.

### **EMERGENCIES**

43. As per Section 542(3) if the Alberta *Municipal Government Act*, in an emergency or in extraordinary circumstances, the Peace Officer need not give reasonable notice or enter at a reasonable hour and may do things in subsection (1)(a) and (c) without the consent of the Owner or Occupant. Pursuant to Section 551 of the Alberta *Municipal Government Act*, in an emergency a municipality may take whatever actions or measures are necessary to eliminate the emergency.

## **PART 4** **OFFENCES, ENFORCEMENT & PENALTIES**

### **OFFENCES**

44. Any Person who breaches or contravenes any provision of this Bylaw is guilty of an offence punishable by issuance of;
  - a) a Violation Tag; or
  - b) a Summons/ Violation Ticket (Part 2); or
  - c) an Offence Notice/ Violation Ticket (Part 3).
45. Any Violation Ticket will be served by a Peace Officer in accordance with the provisions of the *Provincial Offences Procedure Act*.

### **VIOLATION TAGS, PENALTIES AND ENFORCEMENT**

46. No Person shall willfully obstruct, hinder, or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.



47. A person who is convicted of an offence under this Bylaw is liable to pay a fine of not less than the specified penalty for that offence and not more than two thousand dollars (\$2000.00).
48. Where a Peace Officer believes on reasonable and probable grounds that an offence has taken place consisting of a breach of contravention of this Bylaw, the Peace Officer may serve upon a person a Violation Tag.
49. If a Violation Tag is issued pursuant to this Bylaw that an offence has taken place consisting of a breach or contravention of this Bylaw, a Violation Tag shall provide for an amount of money that the Town will accept as payment for the alleged offence, which amount of money shall be the specified penalty set out in Schedule "A" of this Bylaw.
50. Service of a Violation Tag under this Bylaw on a person shall be sufficient if the Violation Tag is:
  - a) personally served.
  - b) served by registered mail.
  - c) attached somewhere to the Premises in respect of which the offence is alleged to have occurred, in which case the Violation Tag need not specify the name of the Person alleged to have committed the offence if the Premises is described by municipal address.
51. A Violation Tag placed upon or affixed to Premises pursuant to this Bylaw shall not be removed from the Premises by anyone other than a Peace Officer or a person lawfully entitled to possession of the premises.
52. Upon issuance and service of a Violation Tag under this Bylaw to a person, the amount of money the Town will accept as payment for the alleged offence shall be the amount of money set out in the Violation Tag and upon payment of that amount of money to a person authorized by the CAO to receive that payment there shall be issued an official receipt therefor by the Town and the payment shall be accepted in lieu of commencing proceedings for the alleged offence.
53. Notwithstanding the specified or minimum penalties set out in Schedule "A" of this Bylaw:
  - a) if a Person is convicted twice of the same provision of this Bylaw within a twelve month period, the minimum penalty for the second conviction shall be the amount of the specified penalty for a first offence; and
  - b) if a Person is convicted three or more times of the same provision of this Bylaw within a twelve month period, the minimum penalty for the third and subsequent convictions shall be double the amount of the specified penalty for such first offence.



54. Where a Peace Officer believes on reasonable and probable grounds that an offence has taken place consisting of a breach or contravention of this Bylaw, the Peace Officer may commence proceedings against a person by issuing a Violation Ticket in accordance with the provisions of the *Provincial Offences Procedure Act* of Alberta.
55. If a Violation Ticket is issued pursuant to this Bylaw that an offence has taken place consisting of a breach or contravention of this Bylaw, the Violation Ticket may provide for a specified penalty, which specified penalty shall be the amount set out in Schedule "A" of this Bylaw in the case of any offense listed in that Schedule "A" of this Bylaw.
56. Nothing in this Bylaw shall be read or construed as:
- a) Preventing any person for exercising that Person's right to defend an allegation that the person has committed an offence under this Bylaw; or
  - b) Preventing any Peace Officer from issuing a summons by means of a Violation Ticket (Part 2) or an offence notice by means of a Violation Ticket (Part 3) in accordance with the provisions of the *Provincial Offences Procedure Act* of Alberta or otherwise initiating court process in any manner permitted by law in respect of an alleged offence for which a Violation Tag may be issued, including, but not limited to, for alleged offences under this Bylaw where a Violation Tag has already been issued to a person, but that person has not paid the amount of money set out in the Violation Tag to the person authorized by the CAO to receive that payment.

### **SEVERABILITY**

57. It is the intention of the Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid by a Court of competent jurisdiction, then all other provisions of this Bylaw shall remain valid and enforceable.

### **ENFORCEMENT OF THIS BYLAW**

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

### **OTHER**

59. This Bylaw shall come into force on the date of the third and final reading.

### **MISCELLANEOUS**

60. Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial law or regulation, or other Bylaw, or any requirements of any lawful permit, order or license.



- 61. Where this Bylaw refers to another Act, Bylaw, regulation or agency, it includes reference to any Act, Bylaw, regulation or agency that may be substituted therefore.
- 62. Every provision of this Bylaw is independent of all other provisions and, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 63. The Town is not required to enforce every breach or contravention of this Bylaw. In deciding whether or not to enforce the Bylaw, the Town may take into account any practical concerns or considerations, including but not limited to the nature and extent of the breach or contravention, any financial or budgetary considerations and the availability of personnel or human resources.
- 64. All Schedules attached to this Bylaw shall form part of this Bylaw.
- 65. Upon coming into force of this Bylaw, the following Bylaw shall be repealed:
  - Bylaw 1788/2014 the Nuisance and Unsightly Premises Bylaw

**READ** a first time the 27th day of January, 2025.

**READ** a second time the 24th day of March, 2025

**READ** a third time the 24th day of March, 2025

**SIGNED AND PASSED** this 26 day of March, 2025

  
\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**MUNICIPAL MANAGER**

**SCHEDULE "A"  
PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>1<sup>ST</sup> &amp; 2<sup>ND</sup> OFFENCE</b>	<b>3<sup>RD</sup>/ Sub OFFENCE</b>
3	Allow activity on Premises to become a Nuisance.	\$250.00	\$500.00
4	Causing or permitting a Nuisance on Town Property	\$250.00	\$500.00
5	Permitting or allowing an Unsightly Condition on Property or Premises	\$250.00	\$500.00
6	Allow Premises to become a Danger to Public Safety	\$250.00	\$500.00
7	Unlawfully create or apply graffiti.	\$250.00	\$500.00
11	Fail to remove dead brush, grass, or rubbish that may attract pests or vermin.	\$250.00	\$500.00
12	Owner or Occupant improperly drains water on adjacent Premises.	\$250.00	\$500.00
13	Owner or Occupant improperly direct downspout or eavestrough.	\$250.00	\$500.00
14	Owner or Occupant causes water to directly drain on public property.	\$250.00	\$500.00
15	Allow, permit, or cause smoke, dust, offensive or noxious odors to impact others enjoyment of property.	\$250.00	\$500.00
21(a)	Owner or Occupant fails allows grass or weeds to exceed 15cm in height on property, boulevard, or in alley.	\$250.00	\$500.00
21(b)	Allow trees/ foliage to encroach upon or impede public property, interfere with public utility, traffic control devices, or curb sight lines that are, or could be, a public or traffic safety hazard. Including lines, poles, conduits, pipes, sewer, sidewalks, boulevard, roadway alleys or other works of the Town of Redcliff or utility of the company on the Property or Premises.	\$250.00	\$500.00
21(c)	Fail to destroy prohibited or restricted weeds as directed by a Peace Officer or Weed Inspector	\$250.00	\$500.00
25	Obstruct a Peace Officer	\$500.00	COURT
35	Failing to comply with a Remedial Order or failing to comply with a Remedial Order following an Appeal	\$500.00	\$1000.00

<b>SECTION</b>	<b>APPEAL</b>	
39	The amount required to be submitted with a Notice of Appeal	\$100.00