



**NORTHERN SUNRISE
COUNTY**

BYLAW NO. B409/22 PUBLIC PLACES BYLAW

BEING A BYLAW OF NORTHERN SUNRISE COUNTY IN THE PROVINCE OF ALBERTA TO REGULATE THE CONDUCT AND ACTIVITIES OF PEOPLE IN PUBLIC PLACES TO PROMOTE THE SAFE, ENJOYABLE, AND REASONABLE USE OF SUCH PROPERTY FOR THE BENEFIT OF ALL CITIZENS OF THE COUNTY

WHEREAS, pursuant to the *Traffic Safety Act*, R.S.A. 2000, c. T-6, the Council of Northern Sunrise County may pass Bylaws not inconsistent with the *Traffic Safety Act*, respecting highways under its direction, control and management, for the regulation and control of vehicles and pedestrian traffic in Northern Sunrise County;

AND WHEREAS, pursuant to Section 7 of the *Municipal Government Act*, a Council may pass bylaws for municipal purposes respecting:

- a) the safety, health, and welfare of people and the protection of people and property;
- b) people, activities and things in, on or near a Public Place or place that is open to the public; and
- c) the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein;

NOW THEREFORE, the Council of Northern Sunrise County, in the Province of Alberta, duly assembled, enacts as follows:

PART I – TITLE AND DEFINITIONS

1. TITLE

- 1.1 This Bylaw shall be known as the “Public Places Bylaw”.

2. DEFINITIONS

- 2.1 In this Bylaw:

- a) “CAO” means the Chief Administrative Officer of Northern Sunrise County, or their designate.
- b) “County” means Northern Sunrise County.
- c) “Motor Vehicle” is as defined in Section 1(x) of the *Traffic Safety Act*, R.S.A. 2000, c. T-6, as amended or repealed and replaced from time to time, but does not include Off-Highway Vehicles.
- d) “Off-Highway Vehicle” means an off-highway vehicle as defined in Section 117 of the *Traffic Safety Act*, R.S.A. 2000, c. T-6;
- e) “Park” in the context of a Motor Vehicle, means to remain stationary in one place, whether or not the Motor Vehicle is occupied or running, but excludes vehicles acting in compliance with the direction of a peace officer;
- f) “Person” means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- g) “Property” means;
 - i. in the case of land, a parcel of land including any buildings; or
 - ii. in other cases, Personal Property;
- h) “Public Place” means any Property owned by, or under the direction, control and management of, the County, to which members of the public have access as of right or by express or implied invitation, whether on payment of any fee or not as shown on Schedule “B” (1-6) of this bylaw, as amended from time to time;
- i) “Municipal Tag” means a tag or similar document issued by the County alleging an offence has been committed for which a prosecution may follow.
- j) “Violation Ticket” means a summons violation ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*.

PART II – PUBLIC BEHAVIOUR

3. LITTERING

- 3.1 No Person shall discard, abandon or leave any garbage, litter, compost or other refuse in a Public Place except in a receptacle designed and intended for such use.

4. URINATION AND DEFECATION

- 4.1 No Person shall urinate or defecate in a Public Place except in a facility designed and intended for such use.

5. DISCHARGE OF FIREARMS

- 5.1 No Person shall carry or discharge a firearm or other form of projectile weapon in a Public Place, unless authorized by the County.

6. FIREWORKS AND EXPLOSIVES

- 6.1 No Person shall ignite, use or explode Fireworks in a Public Place except with the express written permission of the Chief Administrative Officer or his or her designate, and in accordance with the requirements of the *National Fire Code – 2019 Alberta Edition*, or such other version of the Code as may be in force from time to time.

PART III – RECREATIONAL USE OF PUBLIC PLACES

7. AREA CLOSURES

- 7.1 No Person shall enter or remain within Harmon Valley Park after the closing time for that public place, as may be amended by Council from time to time, or where notices have been posted to any other Public Place that the Public Place is closed to the public.

8. OFF-HIGHWAY VEHICLES

- 8.1 No Person shall operate an Off-Highway Vehicle in any Public Place, except with the express written permission of the Chief Administrative Officer.
- 8.2 Where the Chief Administrative Officer has granted written permission to operate an Off-Highway Vehicle, the Person to whom that permission has been issued shall operate that Off-Highway Vehicle in accordance with any terms and conditions imposed by the Chief Administrative Officer within the written permission and in accordance with the general requirements of the *Traffic Safety Act*.
- 8.3 The provisions of Section 8 shall not apply to any employee, agent or contractor of the County, where that Off-Highway Vehicle is in use in the exercise or intended exercise of that Person's duties and responsibilities on behalf of the County.

9. MOTOR VEHICLES

- 9.1 No Person shall operate a Motor Vehicle in any Public Place except on a properly designated highway, roadway, parking lot or other area intended for vehicular traffic.
- 9.2 The provisions of Section 9 shall not apply to any employee, agent or contractor of the County, where that Motor Vehicle is in use in the exercise or intended exercise of that Person's duties and responsibilities on behalf of the County.

10. PARKING IN A PUBLIC PLACE

- 10.1 No Person shall Park a Motor Vehicle in any Public Place except within parking facilities expressly provided for the purpose of public parking, whether permanently or for the purposes of a special event unless authorized by the Chief Administrative Officer;
- 10.2 No Person shall Park a Motor Vehicle in any Public Place in any manner contrary to a posted sign regulating parking.

11. FIRES

- 11.1 No Person shall light or maintain a fire in a Public Place.
- 11.2 The provisions of Section 11.1 shall not apply to the Person who lights or maintains a fire within an area within a Public Place expressly provided for that purpose, so long as that fire is lit within the container, firepit or receptacle specifically provided by the County for that purpose.
- 11.3 Any Person who lights or maintains or otherwise is responsible for a fire shall ensure that the fire is fully extinguished before leaving the location of that fire;

- 11.4 Notwithstanding Section 11.2, no Person shall light a fire at any location within a Public Place while any Municipal or Provincial fire ban is in effect.

12. CUTTING OF VEGETATION

- 12.1 No Person shall cut trees, clear brush or vegetation, or cut firewood from a Public Place except with the express written permission of the Chief Administrative Officer.
- 12.2 The provisions of Section 12.1 shall not apply to any employee, agent or contractor of the County, where that Employee is in the exercise or intended exercise of that Person's duties and responsibilities on behalf of the County.

PART IV – ANIMALS IN PUBLIC PLACES

13. DOGS

- 13.1 No Person shall bring a dog into a Public Place where the presence of dogs is expressly prohibited by posted notice.
- 13.2 Where a dog defecates in any Public Place, the Person in possession or control of that dog shall immediately remove the feces from the Public Place or shall deposit it into a waste receptacle provided for that purpose located within the Public Place.

14. HORSES AND OTHER MOUNTED ANIMALS

- 14.1 No Person shall ride or lead any horse or other animal capable of being mounted for riding within any Public Place, except where expressly permitted by posted Notice.
- 14.2 Where a horse defecates in any Public Place, the Person in possession or control of that horse shall immediately remove the feces from the Public Place or shall deposit it into a waste receptacle provided for that purpose located within the Public Place.

PART V - ENFORCEMENT

15. OFFENCE

- 15.1 A Person who contravenes a provision of this Bylaw is guilty of an offence and liable upon summary conviction to the specified penalty as set out in Schedule "A" of this Bylaw.

16. MUNICIPAL TAGS

- 16.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 16.2 A Municipal Tag shall be served:
- Upon the person personally, or by leaving it with a person on the premises who has the appearance of being at least eighteen (18) years of age; or
 - by mailing a copy, via registered mail, to such person at their last known postal address.
- 16.3 A Municipal Tag shall be in a form approved by the CAO, and shall state:
- the name of the person to whom the Municipal Tag is issued;
 - a description of the offence and the applicable Bylaw subsection;
 - the appropriate penalty for the offence;
 - that the penalty shall be paid within fourteen (14) day of the issuance of the Municipal Tag, in order to avoid prosecution; and
 - any other information as may be required by the CAO.
- 16.4 A person to whom a Municipal Tag has been issued may pay the penalty specified on the Municipal Tag and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 16.5 Nothing in this Bylaw shall prevent a Bylaw Enforcement Officer from immediately issuing a Violation Ticket.

17. VIOLATION TICKETS

- 17.1 Where a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket.
- 17.2 Notwithstanding subsection 17.1, a Bylaw Enforcement Officer is authorized and empowered to immediately issue a Violation Ticket to any person who the Bylaw

Enforcement Officer has reasonable and probable grounds to believe is responsible for a contravention of this Bylaw.

17.3 A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person responsible for the contravention in accordance with the Provincial Offences Procedure Act.

17.4 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- a) specify the fine amount established by this Bylaw for the offence; or
- b) require a person to appear in court without the alternative of making a voluntary payment.

17.5 A person who commits an offence may:

- a) if a Violation Ticket is issued in respect of the offence; and
- b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment equal to the specified fine.

17.6 A person to whom a Violation Ticket with a specified penalty has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided by this Bylaw.

17.7 Where a Clerk of the Court records in the court records the receipt of a voluntary payment pursuant to this Bylaw and the Provincial Offences Procedure Act, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and imposition of a fine in the amount of the specified penalty.

PART VI - GENERAL

18. SEVERABILITY PROVISION

18.1 Should any provisions of this bylaw be invalid, then such invalid provision shall be severed and the remaining bylaw be maintained.

19. REPEAL

19.1 Upon third reading of Bylaw B409/22, Bylaw B180.10 and all amendments thereto are repealed.

EFFECTIVE DATE

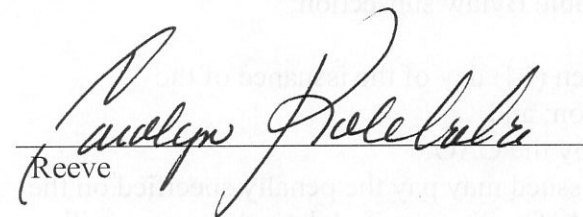
This Bylaw shall come into force and effect when it receives third reading and is duly signed.

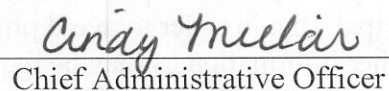
Read a first time this 26th day of July, 2022.

Read a second time this 26th day of July, 2022.

Read a third time this 9th day of August, 2022.

Signed and made effective this 9th day of August, 2022.


Reeve


Chief Administrative Officer

SCHEDULE "A"

PENALTIES

Section No.	Description	Penalty-First Offence	Penalty-Second Offence	Penalty-Third and subsequent offences
3.1	Littering	\$250	\$500	\$1000
4.1	Public urination or defecation	\$250	\$375	\$500
5.1	Discharge of firearm	\$250	\$500	\$1,000
6.1	Discharge of fireworks or explosives	\$250	\$750	\$2,000
7.1	Presence after closure	\$100	\$200	\$500
8.1	Operation of off-highway vehicle in public place	\$250	\$500	\$1,000
9.1	Operation of a motor vehicle in public place	\$250	\$500	\$750
10.1	Parking where not permitted, or contrary to sign	\$35	\$50	\$100
11.1	Lighting/maintaining fire in a public place	\$500	\$1,000	\$5,000
15.4	Lighting a fire contrary to municipal or provincial fire ban	\$1,000	\$5,000	\$10,000
16.1	Cutting of vegetation	\$75	\$150	\$300
17.1	Bringing a dog to a public place contrary to posted notice	\$75	\$150	\$300
17.3	Failure to immediately remove feces from public place	\$75	\$150	\$300
18.1	Riding or leading horse or other mountable animal in public place	\$250	\$500	\$1000