

BYLAW 1683-2022
COMMUNITY STANDARDS BYLAW
TOWN OF INNISFAIL

Being a bylaw of the Town of Innisfail, in the Province of Alberta, to regulate nuisances, public disturbances and neighbourhood liveability issues.

Whereas the Municipal Government Act (MGA) authorizes a municipality to pass bylaws respecting the safety, health, and welfare of people and protection of people and property;

Whereas the MGA authorizes a municipality to pass bylaws respecting Nuisances, including unsightly property;

Whereas the MGA authorizes a municipality to pass bylaws and impose fees and penalties regarding the contravention of bylaws;

And Whereas it is desirable for regulations which affect neighbourhood livability to be located, as much as possible, in one bylaw;

NOW THEREFORE COUNCIL OF THE TOWN OF INNISFAIL, ALBERTA, ENACTS AS FOLLOWS:

- 1) This bylaw shall be titled the “Community Standards Bylaw”.
- 2) In this bylaw, the following definitions shall apply:
 - a) **“Bully or Bullying”** means verbal, written, or physical abuse, threats, taunts, teasing, name calling or repeated abusive communication, direct or through any medium whatsoever including, but not limited to, social media posts, actions, gestures, symbols, images, or other behaviours;
 - b) **“Cannabis”** as defined in the Cannabis Act (S.C. 2018, c. 16);
 - c) **“Chief Administrative Officer (CAO)”** means the Chief Administrative Officer of the Town of Innisfail as defined in the MGA, or their designate;
 - d) **“Graffiti”** means words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed, drawn or attached on or to the surface of any Property, other than a vehicle;
 - e) **“Guardian”** means the parent, guardian or foster parent of a Minor, and shall include any other person 18 years or older, having care and control of a Minor;
 - f) **“Harass or Harassment”** means making or displaying any written or verbal communications including, but not limited to, social media posts, actions, gestures, symbols, images, or other behaviours, any of which could reasonably cause a person to feel humiliated, offended, hurt, belittled, or discriminated against;
 - g) **“Loitering”** means the act of remaining in a Public Place for a protracted time without apparent purpose.
 - h) **“Minor”** means an individual who is and/or appears to be under 16 years of age;
 - i) **“Municipal Ticket”** means a document alleging an offence issued pursuant to the authority of a bylaw of the Town;
 - j) **“Noxious Weed”** means a Noxious weed as prescribed in the Weed Control Act and Alberta Regulation 17112001 as amended or repealed and replaced from time to time.
 - k) **“Nuisance”** includes any activity or condition which:
 - i) unreasonably interferes with the use and enjoyment of any highway, park or other Public Place;

- ii) unreasonably interferes with the use and enjoyment of private Property;
 - iii) causes injury to the health, comfort or convenience of an occupier of public or private Property; or
 - iv) contravenes the Nuisance prohibition provisions of Part 2 of this bylaw;
 - v) and without limiting the generality of the foregoing includes unreasonable noise, littering, unreasonable odour, fighting, the accumulation of water or other liquids on a Property, or the presence of any unsanitary conditions on a Property.
- l) **"Panhandling"** means to ask for a gratuitous donation of money, food, or goods of any kind, whether by spoken or printed word, or bodily gesture, but does not include the solicitation of charitable donations allowed or authorized pursuant to the *Charitable Fund-Raising Act* or any other legislation permitting the solicitation of charitable donations;
 - m) **"Peace Officer"** includes a Bylaw Enforcement Officer, a Community Peace Officer and a member of the Royal Canadian Mounted Police;
 - n) **"Pest"** means any animal, bird, reptile, or insect which causes, or could reasonably be expected to cause annoyance, damage, or injury to any person, animal or plant;
 - o) **"Property"** means, in the case of land, a parcel of land including any buildings thereon or, in other cases, personal property;
 - p) **"Public Place"** means any place, whether publicly or privately owned, where a person is habitually allowed to go without needing special permission;
 - q) **"Town of Innisfail"** or the **"Town"** means the municipal corporation that is the Town of Innisfail;
 - r) **"Statutory Holiday"** means News Years Day, Alberta Family Day, Good Friday, Victoria Day, Canada Day, Heritage Day, Labour Day, National Day for Truth and Reconciliation, Thanksgiving, Remembrance Day, Christmas Day and Boxing Day;
 - s) **"Unoccupied"** means any building which is unoccupied by the owner or any tenant or any occupier lawfully entitled to occupy the building for a continuous period of 30 days within a consecutive 45 day period but does not include unoccupied properties that are inspected with reasonable frequency inside and outside for signs of damage, vandalism or unauthorized entry.

PART I – NOISE

- 3) No person shall make or cause to be made or continue any noise which would disturb or annoy a reasonable person.
- 4) No person shall permit Property that they own or occupy to be used so that noise emanates from the Property which would disturb or annoy a reasonable person.
- 5) In determining what constitutes noise likely to disturb or annoy a reasonable person, consideration may be given to:
 - a) the type, volume and duration of the sound;
 - b) the time of day and day of the week;
 - c) the nature and use of the surrounding area; and
 - d) any other relevant factor.
- 6) No owner or manager or other person in charge of Property where liquor is served to the public shall permit any noise to emanate from such Property such that it annoys or disturbs any person outside the boundary of the Property.
- 7) No person may activate or apply engine retarder brakes in the Town, except persons operating Emergency Services vehicles in the course of responding to an emergency situation or training drivers in the use of retarder brakes.

Industrial Noise

- 8) Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
 - a) is an approved permitted use; or
 - b) is an approved discretionary use; or
 - c) is a non-conforming, but not illegal, use as defined in the MGA.
- 9) In the operation or carrying on of an industrial activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.

Construction and Maintenance Noise

- 10) Unless permission from the Development Authority for the Town is first obtained, no person shall carry on the construction of any type of structure which involves hammering, sawing or the use of any mechanical tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on in any district, other than the district designated in the Land Use Bylaw as an industrial district, between the hours of 10:00 P.M. to 7:00 A.M. on any day except Saturdays, Sundays, or Statutory holidays, and between the hours of 10:00 P.M. to 9:00 A.M. on Saturdays, Sundays, or Statutory holidays.
- 11) Unless permission from the CAO is first obtained, no person shall use, operate or allow to be used or operated any machinery or equipment so as to create a noise, or disturbance which may be heard in a residential building between the hours of 10:00 P.M. and 7:00 A.M. on any day except Saturdays, Sundays, or Statutory holidays, and between the hours of 10:00 P.M. and 9:00 A.M. on Saturdays, Sundays, or Statutory Holidays.

Exceptions

- 12) Sections 10 and 11 do not apply to work carried on by the Town, or by a contractor carrying out the instructions of the Town.
- 13) Sections 10 and 11 do not apply to private contractors carrying out snow removal from commercial or industrial sites which are not adjacent to residential districts.
- 14) In the case of snow removal from commercial or industrial sites located adjacent to residential districts and where, in the reasonable opinion of the Town, it is necessary to do so to ensure the peace and quiet of residents, the Town may require noise abatement practices including one or both of the following conditions:
 - a) a requirement that snow not be removed between the hours of 10:00 P.M. and 6:00 A.M. on any day except Saturdays, Sundays, or Statutory holidays, and between the hours of 10:00 P.M. and 9:00 A.M. on Saturdays, Sundays, or Statutory Holidays;
 - b) a requirement that snow be removed from a site in a sequence which is least disruptive to the peace and quiet of residents.
- 15) In the case of snow removal from the Innisfail hospital or school sites, snow removal may be permitted prior to 6:00 A.M. on any day with the prior approval of the CAO.

PART 2 – NUISANCE AND PROPERTY MAINTENANCE

Nuisance Prohibition

- 16) No person shall cause or permit a Nuisance on Property they own or occupy.
- 17) A person who causes a Nuisance or permits Property they own or occupy to be used so as to cause a Nuisance shall abate the Nuisance and cause to be abated the activity which causes the Nuisance.

- 18) A Nuisance in respect of land, includes land or any portion thereof that shows signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area including, but not limited to:
- a) unkempt grass or tall weeds;
 - b) dead or partially dead shrubs or trees;
 - c) the failure to destroy prohibited Noxious Weeds, control Noxious Weeds, or prevent the spread or scattering of Noxious Weeds;
 - d) allowing smoke, exhaust, dust or other airborne matter likely to disturb another Person, to escape the Premises or vehicle without taking precautions to ensure that the smoke, exhaust, dust or other airborne matter does not escape;
 - e) the accumulation of any material that creates unpleasant odours, any material that attracts Pests or any animal remains, parts of animal remains or animal feces;
 - f) the generation of excessive dust and permitting such dust to escape from the Property;
 - g) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
 - h) the failure to control or eliminate insects or Pests harmful to the growth and development of trees and shrubs or any vegetable or plant life;
 - i) unsightly lands or buildings, including but not limited to those with:
 - i) the presence of discarded or dilapidated furniture, household appliances, loose garbage, packaging material, scrap metal, scrap lumber, tires, machinery parts, equipment or commercial appliances;
 - ii) the outside storage of dilapidated or derelict vehicles or the storage of more than two unregistered vehicles on any residential or commercial site;
 - iii) the failure to maintain any structure in a reasonable state of repair such that it shows significant physical deterioration, a serious disregard for general maintenance or upkeep or otherwise is detrimental to the surrounding area, an unfenced excavation, drain, ditch or other depression that could pose a danger to public safety; or
 - iv) 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 result in a dilapidated and unsightly condition.
- 19) A Nuisance, in respect of a building or structure, includes a building or structure or any portion thereof, that shows signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area including, but not limited to:
- a) any damage to the building or structure;
 - b) any graffiti displayed on the building or structure that is visible from any surrounding Property;
 - c) any rot or other deterioration of the building; and
 - d) any peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the building which allows Pests, or inappropriate infiltration of air, moisture or water into the building.
- 20) A Nuisance, in respect of human behaviour, includes any activity which substantially and unreasonably interferes with another person's use and enjoyment of a highway, park or other public area, or of land a person owns or occupies, or which causes injury to the health, comfort or convenience of an occupier of land, and without limiting the generality of the foregoing, includes an activity such as a noisy party, a group of people making noise, loud music, car racing, revving engines, yelling, shouting, screaming, or fighting.

Unoccupied Buildings

- 21) An owner of an Unoccupied building must keep it reasonably secure against unauthorized entry or occupation, vandalism or other intentional damage.
- 22) If a building is Unoccupied, any door or window opening in the building may be covered with a solid piece of wood but only if the wood is:
- a) installed from the exterior and fitted within the frame of the opening in a watertight manner;
 - b) of a thickness sufficient to prevent unauthorized entry into the building;
 - c) secured in a manner sufficient to prevent unauthorized entry into the building; and
 - d) painted or treated with an opaque protective finish in a manner that is not detrimental to the surrounding area.

- 23) The Owner of an Unoccupied building where:
- a) unauthorized entry or occupation has occurred; or
 - b) filth, refuse, garbage or other miscellaneous materials have been dumped or stored, shall within 5 days of receiving notice from the CAO effect such repairs or take such action as may be required to secure the Property against such further unauthorized entry or occupation, dumping or storage and to protect the health and safety of the neighbourhood surrounding the Unoccupied building.

Accumulation of Materials

- 24) No owner or occupant shall allow the accumulation of yard material, animal remains, parts of animal remains, animal feces, or any material that creates unpleasant odours or is likely to attract Pests on their Property.
- 25) No owner or occupant shall allow the open or exposed storage of any industrial fluid, including engine oil, brake fluid or antifreeze on their Property.
- 26) No owner or occupant shall allow loose debris, garbage, bottles, cans, boxes, packaging materials, household furniture, disassembled machinery, equipment and appliances and parts thereof or other household goods to accumulate on their Property such that the accumulation is visible to a Person viewing from outside the Property.
- 27) No owner or occupier of a Premises shall allow a refrigerator or freezer to be visible to a Person viewing from outside the property to remain on the Premises without first ensuring that the hinges and latches, or lid or doors of the unit have been removed.

Maintenance of Grass, Trees and Shrubs

- 28) No person shall allow grass or grasses on land they own or occupy to exceed a height of fifteen (15) centimetres. This section shall not apply to golf courses, maintained xeriscaped areas, parks or natural areas under the direction and control of the Town, or areas subject to naturalization efforts.
- 29) No person shall allow a tree or shrub, whether on private property or otherwise, to in any way interfere with or endanger the lines, poles, conduits, pipes, sewers, or other works of a utility of the Town, or of any other public utility.
- 30) In the case of undeveloped areas of land adjacent to residential property within the Town, the CAO may grant an exemption from the application of section 28 whereby grass shall not exceed a height of fifteen (15) centimetres for only those portions of the land which are setback 10 m from adjacent residential properties.

Graffiti

- 31) No person shall apply Graffiti on any Property unless the Graffiti is not in public view and the person who owns or occupies the Property to which the Graffiti has been applied has consented to its application.
- 32) Every owner or occupier of Property issued an order to remove Graffiti, shall ensure that Graffiti placed on their Property is removed, painted over, or otherwise blocked from public view.

Construction Waste

- 33) No loose construction material is to be stored or accumulated on a construction site unless it is not capable of being blown around the construction area.

Repair of Motor Vehicles

- 34) Unless permission from the Town's Development Authority is first obtained in the form of a Development Permit, and the property is in compliance with same, no person may conduct any repair work on motor vehicles, including mechanical repairs, auto body work, frame repair, collision repair, auto painting, or modifications to the body or rebuilding of a motor vehicle, on any site in a residential district.
- 35) This prohibition shall not apply to routine maintenance work done on any vehicles owned, operated and registered in the name of the owner or occupant of the Property, provided that:
- a) the work is done in a garage that is capable of having the doors and windows closed;
 - b) the activity does not create a Nuisance or noise complaints from neighbourhood;
 - c) there is no escape of offensive, annoying or Noxious odors, fumes or smoke from the site;
 - d) vehicle fluids, oil, gasoline products or other hazardous materials are properly stored and disposed of and not swept or washed into lanes, streets, or down storm or sanitary sewers;
 - e) all discarded vehicle parts and materials are properly stored and disposed of from the site;
 - f) no power washing of motor or power train is performed on the site; and
 - g) all building and fire code regulations are met.

Water, Eavestroughs and Downspouts

- 36) No owner or occupier of a Property shall allow a flow of water from a hose or similar device on the Property to be directed towards an adjacent Property if it is likely that the water from the hose or similar device will enter the adjacent Property.
- 37) An owner or occupier of a Property shall direct any rainwater downspout or eavestrough on the Property towards:
- a) the front of the Property;
 - b) the rear of the Property;
 - c) a side yard which does not abut another Property; or
 - d) a side yard which abuts another Property only if there is a minimum of 6 (six) metres of permeable ground between the outfall of the downspout or eavestrough and the boundary of the adjacent Property.
- 38) Notwithstanding section 38, no owner or occupier of a Property shall allow a rainwater downspout or eavestrough to be directed towards a neighboring Property if it is likely that the water from the downspout or eavestrough will enter the adjacent Property.

Nuisance Enforcement

- 39) The CAO may, after giving reasonable notice to the owner or occupier of a Property, enter upon the Property and carry out an inspection.
- 40) The CAO may direct the owner or occupant of the Property on which a Nuisance exists to:
- a) stop doing something or to change the way in which a person is doing it;
 - b) take any action or measure necessary to abate the Nuisance and, if necessary, to prevent a re-occurrence;
 - c) state a time within which the person must comply with the direction;
 - d) state that if the person does not comply with the direction within the specified time, the Town may take the action or measure necessary to abate the Nuisance and, if necessary, to prevent a re-occurrence.
- 41) Any Person who refuses to allow an inspection of Property under section 39 is guilty of an offence.
- 42) Any person who fails to comply with a direction made under section 40 is guilty of an offence.
- 43) No person shall cause any activity upon any Town Property which is a Nuisance.

Chronic Nuisance Property

- 44) Where a Property has been the subject of more than 8 complaints or enforcement actions by the Town or the R.C.M.P. related to Nuisance within 6 months, or more than 4 complaints or enforcement actions by the Town or the R.C.M.P. within one 48-hour period, the CAO may designate the Property as a "Chronic Nuisance Property".
- 45) Where the Property designated as a Chronic Nuisance Property is sold or transferred the designation shall be rescinded unless:
- a) a person or persons in occupancy at the time of designation remain the same after the sale or transfer;
 - b) the sale is to a corporation for which a person who owned or was in occupancy of the Property at the time of the designation is a director, officer or shareholder; or
 - c) in the determination of the CAO, the sale or transfer was done for the sole purpose of having the Chronic Nuisance designation rescinded and the conditions giving rise to the Chronic Nuisance designation have not been remediated.

Administrative Penalty Imposition

- 46) Where a property is designated as a Chronic Nuisance Property, in accordance with section 7(i)(iii) of the MGA, the following individuals are guilty of an offence and the CAO may impose an administrative penalty, being nuisance abatement fees, costs, or charges incurred by the Town in connection with the Chronic Nuisance Property, that is in addition to a fine or imprisonment against one or more of the following individuals:
- a) a person who causes a Chronic Nuisance;
 - b) the occupier of land from which a Chronic Nuisance emanates; and
 - c) the owner of land from which a Chronic Nuisance emanates.

Administrative Penalty Recovery

- 47) The CAO may recover the administrative penalty imposed under section 47 by:
- a) including the administrative penalty in addition to a fine in a Municipal Ticket or Violation Ticket issued by the Town pursuant to the *Provincial Offences Procedure Act*; or
 - b) in any other manner authorized by law.

Administrative Penalty Recoverable

- 48) The administrative penalty imposed under section 47 and recoverable by the Town under section 47 for Chronic Nuisance Property abatement under this bylaw shall be determined and calculated in accordance with Schedule "B" to this Bylaw."

PART 3 – DISRUPTIVE PUBLIC BEHAVIOURS

Littering

- 49) No person shall leave any garbage, litter or other refuse in a Public Place, except in a receptacle designed and intended for such use.

Spitting, Urinating and Human Waste

- 50) No person shall urinate or deposit any human waste in any Public Place or in any place to which the public is allowed access, other than a public washroom in a receptacle designed and intended for such use.
- 51) No person shall spit at any person or in any Public Place.

Flyers, Placards, Posters

- 52) No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into any motor vehicle, which is parked on any street, lane, parking lot or other Public Place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority.
- 53) No person shall deposit any unsolicited written material, including a leaflet, flyer, pamphlet or other printed matter, at or on a Property that is a dwelling unit where a sign or notice is posted which clearly indicates that such flyers are not wanted. This section does not apply to election advertising materials or information produced and distributed by a federal, provincial or municipal government, or an agent or elected member of same.
- 54) A Peace Officer is authorized to remove and destroy anything placed, deposited or thrown contrary to sections 53 and 54.

Fighting, Loitering and Yelling

- 55) No person shall participate in a fight or any physical confrontation in any Public Place.
- 56) No person shall behave in an aggressive manner when loitering or assembling in groups of three or more in a Public Place. For the purpose of this section, a person shall be considered to be behaving in an aggressive manner if they;
- a) obstruct or impede the passage of another person;
 - b) make physical contact with another person;
 - c) insult, threaten, disturb, coerce or intimidate another person; or
 - d) loiter or assemble while intoxicated by alcohol, or under the influence of cannabis or illicit drugs.
- 57) No person shall yell or scream in any Public Place.

Bullying and Harassment

- 58) No person shall Bully or Harass any person in any Public Place.
- 59) No person shall participate in or encourage by verbal or other means in the Bullying or Harassment of any person in any Public Place.

Curfew

- 60) No Minor shall be in a public place between the hours of 11:00 P.M. and 6:00 A.M. on any day unless accompanied by a parent or guardian.
- 61) Any Minor who is found in a public place without being accompanied by a parent or guardian between the hours of 11:00 P.M. and 6:00 A.M. on any day may be taken by a Peace Officer to the Minor's home, the Town Office or the nearest RCMP Detachment.
- 62) No parent or guardian shall allow any Minor who is in her or his custody, care or control to be in a public place between the hours of 11:00 P.M. and 6:00 A.M. on any day unless such Minor is accompanied by a parent or guardian.
- 63) Notwithstanding anything contained herein, it shall not be an offense under this bylaw for a Minor to be in a public place between the hours of 11:00 P.M. and 6:00 A.M. on any day if it is in the course of their employment or while returning home as soon as reasonably practical from an organized sporting or other event that has been supervised by an adult.

Panhandling

64) No person shall engage in Panhandling:

- a) between the hours of 5:00 p.m. and 8:00 a.m.;
- b) while intoxicated or under the influence of illegal substances;
- c) as a member of a group of two or more persons;
- d) within 10 metres of the entrance to:
 - i) a financial institution;
 - ii) an automated teller machine or bank deposit slot;
 - iii) a liquor store;
 - iv) a cannabis store.
- e) in a manner which obstructs or impedes the convenient passage of pedestrians or vehicles on a street, sidewalk or within a Public Place;
- f) in such a manner as to threaten, insult, or harass other users of the street;
- g) from any person who is an occupant of a motor vehicle; or
- h) from any person who has already refused or declined the solicitation.

Tobacco and Cannabis

65) A person shall not smoke or vape tobacco:

- a) in all or any part of a building, structure or other enclosed area to which members of the public have access as of right or by express or implied invitation;
- b) within five (5) metres of an entrance or exit to a building of which members of the public have access as of right or by express or implied invitation.

66) No person shall smoke or vape Cannabis in a Public Place.

67) A person who is entitled to use Cannabis pursuant to the Access to Cannabis for Medical Purposes Regulations SOR/2016-230 shall be exempt from section 68 but must adhere to any applicable provincial or federal regulations that govern public consumption of Cannabis.

68) A person referred to in section 91, shall, on demand of a Peace Officer, produce a copy of the person's medical documentation pursuant to the Access to Cannabis for Medical Purposes Regulations SOR/2016-230.

PART 4 – OFFENCES AND PENALTIES

69) Every Person who contravenes any provision of this bylaw where a fine is not listed in Schedule A is guilty of an offense and on conviction, is liable for a fine of \$500.00.

70) A person who is found guilty of an offence under this bylaw is liable to the imposition of a penalty in the amount specified in Schedule "A" hereto, in addition to a fine, so long as the penalty relates to a fee, cost, rate, toll or charge that is associated to the conduct that gives rise to the offence.

71) Any person who, whether he or she is an owner/occupier of a property or a member of the public is guilty of an offence if he or she:

- a) refuses to provide identification (name, address, and date of birth) and proof thereof to a Peace Officer upon request;
- b) interferes with, or attempts to obstruct, a Peace Officer who is conducting an enforcement action within lawful authority; or
- c) any person who provides false or misleading information to a Peace Officer.

Municipal Ticket

72) A Municipal Ticket may be issued to any Person where there are reasonable and probable grounds to believe the Person has contravened any provision of this bylaw.

73) If a Municipal Ticket is issued in respect of an offence the Municipal Ticket must specify:

- a) the name of the Person;

- b) the offence;
- c) the fine amount;
- d) that the fine amount shall be paid within 21 days of the issuance of the Municipal Ticket; and
- e) any other information as may be required.

74) Where a Municipal Ticket is issued in respect of an offence, the Person to whom the Municipal Ticket is issued may, in lieu of being prosecuted for the offence, pay the fine specified within the time period indicated on the Municipal Ticket.

Violation Ticket

75) If a Municipal Ticket has been issued and if the specified fine has not been paid within the prescribed time, a Violation Ticket may be issued pursuant to the Provincial Offences Procedure Act.

76) Notwithstanding section 77, a Violation Ticket may be immediately issued to any Person where there are reasonable and probable grounds to believe that Person has contravened any provision of this bylaw.

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

- a) impose the specified penalty established by this bylaw for the offence and permit a Person to make a voluntary payment; or
- b) require a Person to appear in court without the alternative of making a voluntary payment.

78) A Person who commits an offence and who wishes to plead guilty may:

- a) if a Violation Ticket has issued in respect of the offence; and
- b) if the Violation Ticket includes a specified penalty as established by this bylaw for the offence;
- c) plead guilty to the offence by making a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket the specified penalty set out on the Violation Ticket.

PART 6 – GENERAL

79) No person shall obstruct, interfere with or hinder any Peace Officer in the carrying out of their duties and responsibilities under this bylaw.

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

- a) carry out any inspections to determine compliance with this bylaw;
- b) take any steps or carry out any actions required to enforce this bylaw;
- c) take any steps or carry out any actions required to remedy a contravention of this bylaw;
- d) establish areas where activities otherwise regulated, restricted or prohibited by this bylaw are permitted;
- e) establish areas where activities otherwise permitted by this bylaw are prohibited;
- f) establish forms for the purposes of this bylaw; and
- g) delegate any powers, duties or functions under this bylaw to an employee of the Town.

Severability

81) The invalidity of any provision of this bylaw shall not affect the validity of the remainder.

Repeal

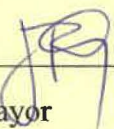
82) That Community Standards Bylaw 1498-2010 is hereby repealed.

83) That Nuisance Bylaw 1475-2009 is hereby repealed.

Read a first time on the 9 day of May, 2022

Read a second time on the 9 day of May, 2022

Read a third and final time on the 9 day of May, 2022



Mayor



Chief Administrative Officer

SCHEDULE A

Section	Offence	Fine
3	Cause Noise second offence within 1 year third and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
4	Permit Noise from Property second offence within 1 year third and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
6	Noise from premises where liquor is served second offence within 1 year third and subsequent offences within 1 year	\$1,000.00 \$2,000.00 \$5,000.00
7	Activate or apply engine retarder brakes	\$250.00
9, 10, 11	Industrial, Construction, and Maintenance Noise second offence within 1 year third and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
14, 15	Snow Removal Noise second offence within 1 year third and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
16, 17	Cause or Permit a Nuisance	\$300.00
18 (d)	Smoke or Dust Escaping Premises	\$300.00
21	Unsecure Unoccupied Building	\$300.00
24	Accumulation of Offensive Material	\$300.00
25	Exposed Storage of Harmful Fluids	\$200.00
26	Accumulation of Material Visible from off Property	\$200.00
27	Refrigerator or Freezer Improperly Stored	\$300.00
28	Allowing Grass on Premises to Exceed 15 cm	\$300.00
29	Fail to Prune Trees or Shrubs	\$200.00
31	Place Graffiti on Property second offence within 1 year third and subsequent offences within 1 year	\$500.00 \$1000.00 \$2,500.00
32	Failure to comply with graffiti order \$150.00 each day that the breach continues	\$150.00
33	Construction Waste Storage	\$300.00
34	Unauthorized Repair of Motor Vehicles	\$150.00
36	Direct Water Flow to Adjoining Premises	\$300.00
37	Improper Direction of Downspout	\$300.00
41	Refuse to Allow an Inspection of Property	\$500.00
42	Failure to Comply with Remedial Order	\$500.00
43	Cause Nuisance on Town Property	\$250.00
49	Littering second offence within 1 year third and subsequent offences within 1 year	\$150.00 \$250.00 \$500.00
50, 51	Spitting / Urinating / Human Waste second offence within 1 year third and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
52, 53	Unapproved Flyers / Debris	\$300.00
55	Fighting in a Public Place second offence within 1 year third and subsequent offences within 1 year	\$500.00 \$750.00 \$1,000.00
56	Loitering second offence within 1 year third and subsequent offences within 1 year	\$250.00 \$500.00 \$750.00
57	Yell, scream or swear in public second offence within 1 year third and subsequent offences within 1 year	\$150.00 \$250.00 \$700.00
58,59	Bullying and Harassment first offence second and subsequent offences	\$500.00 \$1,000.00
60, 62	Minor Violating Curfew second offence within 1 year third and subsequent offences within 1 year	\$150.00 \$250.00 \$500.00

SCHEDULE A

64	Panhandling	\$150.00
	second offence within 1 year	\$250.00
	third and subsequent offences within 1 year	\$500.00
65	Tobacco Consumption	
	Smoke or vape tobacco in areas where prohibited/public	\$300.00
66	Cannabis Consumption	
	Smoke or vape cannabis in a public place	\$300.00
79	Obstruct a Peace Officer	\$250.00
	Subsequent offences	\$500.00

SCHEDULE B

Chronic Nuisance Property Administrative Penalties

- 1) The costs referred to in sections 47, 48 and 49 of this bylaw shall be calculated, in part, based on a flat fee for each separate attendance and the actual time spent by individuals involved in the abatement of the Nuisance and the number of individuals required to attend.
- 2) The rates per attendance are as follows:
 - a) Inspections & Licensing Department - \$250.00
 - b) Municipal Enforcement - \$350.00
 - c) Emergency Services Department - \$350.00
 - d) Operations Department - \$250.00
 - e) Contracted Services - Actual Cost Plus 15%