

**BYLAW 18-024
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO REGULATE
NEIGHBOURHOOD NUISANCE, SAFETY, PUBLIC BEHAVIOUR AND LIVEABILITY.

WHEREAS under the authority and pursuant to the *Municipal Government Act*, RSA 2000, c. M 26, and amendments thereto, Council may enact Bylaws respecting Nuisances, and may also pass Bylaws related to, unsightly, untidy, unsafe or dangerous property;

AND WHEREAS, the Municipal Council of Lac La Biche County may also enact Bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, the Municipal Council of Lac La Biche County 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 Lac La Biche County deems it desirable to establish a Bylaw to regulate such matters;

AND WHEREAS, the Council of Lac La Biche County deems it desirable for regulations which affect neighbourhood livability to be located, as much as possible, in one Bylaw;

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 Lac La Biche County, duly assembled, enacts as follows:

PART 1 - Title and Definitions

Section 1 Title

1(1) This Bylaw may be cited as the Community Standards Bylaw.

Section 2 Definitions

2(1) **"Act"** shall mean the *Municipal Government Act*, RSA 2000, c. M 26, and amendments thereto.

2(2) **"Agricultural Zoned Lands"** shall mean "Agricultural District (AG)" as described in the Land Use Bylaw of Lac La Biche County.

2(3) **"Audible Scare Device"** means a device using sounds to deter animals.

2(4) **"Bylaw"** means the County Community Standards Bylaw.

- 2(5) **"Cannabis"** means any product composed in whole or part of cannabis as defined by the *Cannabis Act (Canada)*.
- 2(6) **"Cannabis Act"** means Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, 1st Session, 42nd Parliament, 2017.
- 2(7) **"Chief Administrative Officer" or "CAO"** shall mean the Chief Administrative Officer for the County or his or her designate.
- 2(8) **"Community Event"** means any celebration, event, activity or thing so designated by resolution of Council, and to which this Bylaw shall not apply by reason of said designation.
- 2(9) **"Construction Equipment"** shall mean 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(10) **"Construction Noise"** means Noise caused by Construction Equipment.
- 2(11) **"Council"** shall mean the Municipal Council of Lac La Biche County.
- 2(12) **"County"** shall mean Lac La Biche County.
- 2(13) **"Defecate"** shall mean to discharge waste matters from the bowels.
- 2(14) **"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 Act;
 - (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 neighbouring 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(15) **"Electronic Smoking or Vape Device"** means an electronic device that can be used to deliver a vapour, emission or aerosol to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.

- 2(16) **"Event"** means a planned public or social occasion.
- 2(17) **"Graffiti"** shall mean 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 premises on which they are placed.
- 2(18) **"Hamlets"** shall mean the hamlets of Lac La Biche, Plamondon, Beaver Lake, Hylo, Venice, and any additional unincorporated community designated by Council as a Hamlet in accordance with section 59 of the Act.
- 2(19) **"Highway"** shall mean any thoroughfare, street, road, trail, avenue, parkway, viaduct, alley, square, bridge, causeway, trestle way, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and which includes:
- (a) A Sidewalk (including a boulevard portion thereof);
 - (b) A ditch, where the ditch lies adjacent to or parallel with the roadway; and
 - (c) Where a Highway right-of-way is contained between Property lines or between a Property line and one side of the roadway, all land between the Property line and the edge of the roadway, as the case may be, unless declared by the Lieutenant Governor in Council not to be a Highway.
- 2(20) **"Holiday"** means any day declared as such by Municipal, Provincial or Federal authority and includes Sundays.
- 2(21) **"Housing Premise"** or **"Housing 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.
- 2(22) **"Junked Vehicle"** shall mean a Vehicle that:
- (a) Is in a wrecked, partly wrecked, dismantled, partly dismantled, inoperative, unregistered or abandoned condition;
 - (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(23) **"Litter"** shall mean Refuse, garbage or waste located on any private or Public Land within the County, which is not contained in a garbage receptacle authorized by County bylaw, or the throwing, placing, leaving or depositing of Litter, as the context may require.
- 2(24) **"Loiter"** shall mean to linger aimlessly in or about a place, or remain in an area for no obvious reason.
- 2(25) **"Motor Vehicle"** or **"Vehicle"** means Motor Vehicle as defined in the *Traffic Safety Act*, RSA, 2000, c. T-6 and amendments thereto.
- 2(26) **"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 County.
- 2(27) **"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 neighborhood, 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(28) **"Occupant"** means a Person occupying a Property or a Person who has rented, leased or has permission to use the Property.
- 2(29) **"Occupant of Land"** includes the Owner of any lot or parcel of land within the County whether or not a dwelling place is present on the land. 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 County and subject to the direction, management and control of the County 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(30) **"Off Highway Vehicle"** is as defined in the *Traffic Safety Act*, RSA, 2000, c. T-6 and amendments thereto.
- 2(31) **"Owner"** means the Person who is a registered Owner of a Property or who has any other ownership interest in a Property.
- 2(32) **"Panhandling"** shall mean 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 Fund Raising Act*, RSA 2000, c. C-9, as amended.
- 2(33) **"Peace Officer"** means any sworn member of the Royal Canadian Mounted Police, a Peace Officer appointed under the Peace Officer Act, SA 2016, P-35 and amendments thereto and employed by the County or a Bylaw Enforcement Officer employed by the County.
- 2(34) **"Permit"** means a written Permit issued by the Chief Administrative Officer and or his/her designate.

- 2(35) **"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(36) **"Property"** includes any lands, buildings or premises located in the County.
- 2(37) **"Provincial Offences Procedures Act"** means the Provincial Offences Procedure Act, RSA 2000 c, P-34 and amendments thereto.
- 2(38) **"Public Health Act"** means the Public Health Act RSA 2000, c P-37 *and amendments thereto.*, as amended, or any successor legislation.
- 2(39) **"Public Lands"** shall mean all lands under the ownership and control of Her Majesty the Queen in the right of Canada, Her Majesty the Queen in the right of Alberta, or the County, or any combination thereof.
- 2(40) **"Public Place"** shall mean any place within the County to which the public may have either express or implied access.
- 2(41) **"Public Premises"** means 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.
- 2(42) **"Quiet Time"** shall mean the time or times designated by section 8(1) of this Bylaw.
- 2(43) **"Refuse"** shall include any item specifically referred to as Refuse in this Bylaw, junked or disposed of articles including but not limited to solid wastes, woods, metals, tires, broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, food containers, food wrappers, grass cuttings, shrubbery and tree prunings, weeds and garden waste, Junked Vehicles, Vehicle parts, residential furnishings, household appliances, animal feces, garbage bags and all other discarded materials.
- 2(44) **"Sidewalk"** shall mean 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 with the exception of the areas chosen by the County to be designated winter snow reservoir areas.
- 2(45) **"Smoke" or "Smoking"** means 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(46) **"Spit"** shall mean to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth.
- 2(47) **"Urinate"** shall mean to discharge urine from the body.
- 2(48) **"Unsafe Property"** shall mean:
- (a) A Property which, in the opinion of a Peace Officer, is:
 - i) dangerous to public safety; or
 - ii) dangerous to property.

- 2(49) **"Unsightly Property" or "Untidy Property"** shall 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 structure, includes a structure 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;
 - (d) Unsightly Property within the meaning of section 546 of the Act.
- 2(50) **"Vape" or "Vaping"** means the use of an Electronic Smoking or Vape Device.
- 2(51) **"Violation Tag"** means a ticket or similar document issued by a Peace Officer on behalf of the County.
- 2(52) **"Violation Ticket"** means a ticket issued pursuant to *Provincial Offences Procedure Act*.

PART 2 - PROPERTY NUISANCES AND SAFETY

Section 3 Untidy, Unsightly, Unsafe and Nuisance Premises

- 3(1) No Owner or Occupant of any Property shall allow the Property which they own or occupy to be or to become Unsafe, Unsightly, Untidy or a Nuisance.
- 3(2) No Owner or Occupant of any land shall or 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 any land in a residential area 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 odour;
 - (b) Any material likely to attract animals, pests or wildlife; and
 - (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 or anti-freeze.
- 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 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; and
 - (f) yard waste, including grass, tree and hedge cuttings, leaves and Refuse.
- 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 on the Property if:
- (a) the refrigerator or freezer is not visible to a Person viewing from outside the Property; and
 - (b) the refrigerator or freezer remains locked at all times 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 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 centimetres or less; this includes lanes or alleys at the rear of the premises or property;
 - (b) Eradicate noxious weeds;
 - (c) Remove from premises 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 County 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.
- 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 undertaking 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;
 - (c) the work on the project has not been suspended for a period in excess of sixty days; and
 - (d) this section does not include 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 an 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 Persons shall allow smoke from an approved open burning fire to become or remain a Nuisance to any other Person.
- 3(15) Section 3(1) thru 3(14) shall not apply to Agricultural Zoned Lands.
- 3(16) Every Owner of Housing Premises within the County shall ensure that the Housing Premises are:
- (a) Structurally sound;
 - (b) In a safe condition;
 - (c) In good repair;
 - (d) Maintained in a waterproof, windproof and weatherproof condition; and
 - (e) Properly equipped with a smoke detector on every level of the Housing Premises.
- 3(17) Every Owner of Housing Premises within the County shall ensure that the Occupants of the Housing Premises are supplied with adequate:
- (a) sanitary facilities, including a sanitary drainage system or private sewage disposal system;
 - (b) heating facilities that are capable of maintaining a habitable indoor temperature;
 - (c) running hot and cold water that is safe for human consumption;
 - (d) space for sleeping purposes.
- 3(18) Every Owner of Housing Premises within the County shall ensure that the common areas of the Housing Premises, its fixtures and any furnishings provided by the Owner are maintained in a clean, safe and sanitary condition.
- 3(19) Every Owner of Housing Premises within the County shall ensure that the Housing Premises facilities provided under section 3(17) of this Bylaw are free from defects and maintained in proper operating condition.

- 3(20) Every Owner of Housing Premises within the County shall maintain the Housing Premises in compliance with this Bylaw and the *Public Health Act* at all times.
- 3(21) No Person shall occupy or permit the occupation of Housing Premises in respect of which an order under the Public Health Act declaring a premises unfit for human habitation is in effect within the County.
- 3(22) No Person shall cause or permit any condition in Housing Premises that is or may become injurious or dangerous to the public health.

Section 4 Compliance Notice

- 4(1) Where any Property in the County is deemed by a Peace Officer or other designated officer to be Untidy, Unsightly, Unsafe or of a Nuisance, the Officer may issue a compliance notice, either verbally or in writing, or an Order under section 546 of the Act to any Person who is under a duty imposed by this Bylaw, or the Act, to prevent such a condition, and require that the Person remedy the same, without restricting the generality of the foregoing:
 - (a) In the case where the lands, premises or a Housing Premise are found to be unsafe, a Peace Officer or other designated officer may order that the lands, premises or Housing Premises be vacated and deemed uninhabitable until the unsafe condition is remedied;
 - (b) In the case where the lands, premises or a Housing Premises are found to be Untidy, Unsightly or a Nuisance; a Peace Officer or other designated officer may order a cleanup of the lands or premises and may further direct that Owner to cause such to remain clean at all times;
 - (c) In the case where lands are found to have a Derelict Building thereon, a Peace Officer or other designated officer may order that the lands, premises or Housing Premises be boarded up to prevent access or until such time that the premises is found to be in a safe habitable condition;
 - (d) In the case where any lands, premises or Housing Premises are found to be a Derelict Building, or to be abandoned, Unsightly, Untidy, Unsafe or a Nuisance, A Peace Officer or other designated officer may seek an order of the court regarding all appropriate remedial actions including the construction of fences around the lands and/or removal or demolishing of any unsafe or Derelict Buildings.
- 4(2) A Peace Officer or other designated officer who issues a notice verbally or in writing must specify a deadline for compliance and may give any specific instructions to remedy the Nuisance.
- 4(3) A Peace Officer or other designated officer may allow up to fourteen (14) days from the date of delivery of a notice for its compliance, or in extenuating circumstances such further or other period of time as may be appropriate.
- 4(4) A Peace Officer or other designated officer may also serve a notice or Order by delivering it or sending it by ordinary or registered mail to the Owner of the Property, and may also:
 - (a) Post 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

- (b) Deliver it in person or mail it to any Owner, Occupant or agent, and service is effective upon receipt or deemed receipt.

Section 5 Inspections

- 5(1) A Peace Officer is authorized to enter, at any reasonable time, any Housing Premises, lands, or buildings to inspect for conditions that may constitute a Nuisance or Unsafe, Unsanitary or Untidy Conditions or that contravene or fail to comply with the provisions of this Bylaw and such Peace Officer may order the Owner or Occupant thereof to remedy any condition which is deemed to be in contravention of this Bylaw.
- 5(2) No person shall prohibit or interfere with a Peace Officer conducting an inspection authorized under section 5(1).

Section 6 Right of Review

- 6(1) An Owner who considers himself or herself aggrieved by an Order issued pursuant to section 545 of the Act may request that Council review the Order by filing a written request for review pursuant to, and in accordance with, section 547 of the Act.
- 6(2) A request to review an Order shall be accompanied by an administrative fee of:
 - (a) if a residential Property \$100.00 or
 - (b) if a business Property \$200.00.
- 6(3) In the event that the Council rules in favor of a Person requesting the review and determines that the Order will be cancelled; the administrative fee shall be fully refunded.
- 6(4) A request to review an Order shall be in writing and shall set out:
 - (c) The name and address of the appellant;
 - (d) A copy of the Order in respect of which the review is requested;
 - (e) The legal description of the land affected; and
 - (f) The grounds for the request.
- 6(5) A request to review an Order shall be delivered personally or sent double registered mail to the Chief Administrative Officer or Designate within seven (7) days of the date the notice is received.
- 6(6) The Council shall review and determine Orders as provided for by section 547 of the Act.
- 6(7) The Chief Administrative Officer shall send a copy Council's decision together with the written reasons, if any, to the appellant by registered mail.

PART 3 - PUBLIC NUISANCES

Section 7 Prohibited Public Behaviors

- 7(1) 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 in public on any private Property;
 - (d) Defecate in or on a Public Place or in public on any private Property;
 - (e) Spit on any street, Sidewalk, pathway, trail or in or on any Public Place or in public on any private Property;
 - (f) Loiter in a Public Place and thereby obstruct or harass any other Person;
 - (g) Engage in Panhandling;
 - (h) Stand, Sleep or put their feet on the top of the surface of any table, bench, planter or sculpture placed in any Public Place;
 - (i) Use a privately owned waste receptacle unless the Person has the legal right to do so.
- 7(2) No Person shall create or apply Graffiti on any building or object in a Public Place.
- 7(3) Everyone who, without lawful excuse, the proof of which lies on him/her/they has in his/her/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 any such purpose, is guilty of an offence.
- 7(4) Any Owner who wishes to allow Graffiti to be placed on their premises must first obtain written approval from Council prior to allowing the Graffiti to be placed on the premises.

PART 4 NOISE ABATEMENT

Section 8 Noise Prohibitions

- 8(1) Quiet Time within the County shall be between the hours of 11:00 PM and 07:00 AM on weekdays and between the hours of 11:00 PM and 09:00 AM on Holidays.
- 8(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 excessive Noise within the County at any time;
 - (b) Disturb the peace by causing or creating excessive Noise within the County during Quiet Time;
 - (c) Operate or permit any other Person to operate within the County a Motor Vehicle that causes excessive Noise;

- (d) Operate or permit any other Person to operate within the County an Off-Highway Vehicle that causes excessive Noise.
- 8(3) No Owner shall allow Property they own to be used in such a way that there is excessive Noise originating from the Property.
 - 8(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.
 - 8(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.
 - 8(6) No Person shall, during the Quiet Time, load or unload Motor Vehicles in any area designated as Residential pursuant to the County Land Use Bylaw.
 - 8(7) During Quiet Time, no Person shall, 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 site on which the activity is being carried out.
 - 8(8) No Person shall, during Quiet Time, operate a lawn mower, snow removal machine, chain saw, or any other motor driven machine in any area designated as Residential by the County Land Use Bylaw.
 - 8(9) No Person shall own, keep, or harbour any animal including dogs, cats, rabbits, or other domestic animal or bird which by its cries or sounds disturbs the peace, quiet, rest, or tranquillity of the surrounding neighbourhood or the public at large.
 - 8(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, who may impose conditions on such operations.
 - 8(11) No person shall operate Engine Retarder Brakes when driving within the Hamlets of the County.
 - 8(12) The Chief Administrative Officer may upon written request issue a Permit to a Person for the purpose of temporarily exempting the Noise provisions of this Bylaw.
 - 8(13) A Permit issued under this Bylaw shall;
 - (d) Include the dates and hours during which Noise may occur;
 - (e) Name and Address of Person or organization requesting exemption;
 - (f) Telephone number of Person or organization requesting exemption;
 - (g) Include a fee of \$50.00 payable to the County;

- (h) Be produced to a Peace Officer upon demand.
- 8(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 8(2)(a) of this Bylaw if:
- (i) the Noise is generated pursuant to work done in the normal manner to the industry;
 - (j) the Noise is generated between the hours as authorized by this Bylaw; and
 - (k) 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.
- 8(15) Part 4 of this Bylaw does not apply to:
- (a) public works carried on by the County or its agents, contractors, servants or employees acting within the scope of the agency, contract, or employment, as the case may be;
 - (b) Community Events;
 - (c) Agricultural use of equipment or an Audible Scare Device that is a minimum of 500 metres away of an occupied private dwelling (other than a dwelling occupied by the Person(s) utilizing the device).
 - (d) Persons in possession of a Permit issued under section 8(13) of this Bylaw, provided they comply with the terms and conditions of such Permit.

Section 9 Inspections

- 9(1) A Peace Officer may enter any land, building or Property to inspect for conditions that may constitute a contravention of Part 4 of this Bylaw.
- 9(2) No person shall prohibit or interfere with a Peace Officer conducting an inspection authorized under this Bylaw.

PART 5 SIDEWALKS

Section 10 Snow Removal

- 10(1) The Occupant and/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 within seventy-two (72) hours after the snow, ice or dirt is deposited thereon by any means whatsoever.
- 10(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, within the Hamlets of the County.
- 10(3) If any Property situated along municipal streets in the Hamlets of the County are found not to be in compliance with section 10(1) of this Bylaw; a Peace Officer or other designated officer may issue an Order, or may issue a compliance notice verbally or by leaving a printed compliance notice in a conspicuous place on the Property.

- 10(4) If any Occupant and/or Owner fails to comply with this Bylaw, the County 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 said Property and any unpaid costs or expenses being added to the tax roll of the Property to be recovered in like manner as and with other taxes pursuant to the Act.

PART 6 CANNABIS

Section 11 Prohibition

- 11 (1) A person shall not Smoke, Vape or consume Cannabis within the boundaries of the County, except for; private property which is authorized by the owner and allowed by provincial legislation or the Cannabis Act. Cannabis can also be used in an authorized designated area where a Permit has been issued under section 13(5) of this Bylaw.

Section 12 Medical Cannabis

- 12(1) Notwithstanding section 11 of this Bylaw, a Person who is entitled to possess Cannabis pursuant to a medical document issued pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230 shall not be prohibited from Smoking, Vaping, or consuming Cannabis in a Public Place, other than Public Premises.
- 12(2) A Person referred to in subsection (1) must, on demand of a Peace Officer, produce a copy of the Person's medical document.

Section 13 Event

- 13(1) Notwithstanding section 11, 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 subsection (1).
- 13(3) The Chief Administrative Officer may suspend or revoke a Permit issued pursuant to subsection (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 or this Bylaw.
- 13(4) The holder of a Permit issued pursuant to subsection (1) must ensure that:
- (a) the Smoking, Vaping or consumption of Cannabis is only permitted in a designated area, separate and fenced off from the remainder of the Event;
 - (b) The designated permitted area must be a minimum of 15 metres away from the Event as well as any other designated alcohol or Smoking area;
 - (c) alcohol is not consumed in the area designated for the Smoking, Vaping or consumption of Cannabis;
 - (d) the sale of Cannabis is not permitted in the area designated for the Smoking, Vaping or consumption of Cannabis; and

(e) that the advertising or other materials relating to promotion of Cannabis cannot be seen by Persons under the age of 18.

13(5) A Permit issued under this Bylaw shall;

(e) Include the Name and Address of the Person or organization requesting an exemption;

(f) Include the telephone number of the Person or organization requesting an exemption;

(g) Include a fee of \$50.00 payable to the County;

(h) Be produced to a Peace Officer upon demand.

Section 14 Designated Cannabis Area

14(1) Council may by resolution designate areas located on County owned Public Places in which Cannabis may be Smoked, Vaped or consumed.

PART 7 TOBACCO AND SMOKING

Section 15 Prohibition

15(1) A person must not Smoke or Vape:

(a) in any Public Premises, or a public transit bus.

(b) in, on an:

(i) outdoor skating rink;

(ii) playground;

(iii) skate park;

(iv) sports field;

(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 metres of an entrance or exit to any Public Premises.

15(2) No person shall remove, alter, conceal, deface or destroy any sign posted pursuant to this bylaw.

15(3) Notwithstanding anything contained in this bylaw, the prohibitions set out in Subsection (1) do not apply to any Housing Premises and surrounding land on the same lot or parcel.

PART 8 Obstruction

Section 16 Obstruction

16(1) No person shall provide false information or interfere with a Peace Officer while engaged in the execution of their duties.

PART 9 ENFORCEMENT

Section 17 Penalties

- 17(1) Any Person who contravenes any provisions of this Bylaw is guilty of an offence and liable upon summary conviction;
- (a) for the first offence, to a specified penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw;
 - (b) for the second or subsequent offence, to a specified penalty of double the original penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw; or,
 - (c) 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.
- 17(2) If the Owner or Occupant fails, neglects, or Refuses to remedy a Nuisance under section 3 of this Bylaw within the specified time period as directed by a Peace Officer or other designated officer, the Peace Officer or other designated officer may:
- (d) Issue a Violation Tag imposing a payment or fine on a daily basis as set out in Schedule "A" attached hereto and forming part of this Bylaw;
 - (e) Cause to be done any work necessary to remedy the condition.

Section 18 Violation Tag

- 18(1) 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.
- 18(2) Where a Violation Tag is issued pursuant to this Bylaw, the Person whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay the County the penalty specified on the Violation Tag.

Section 19 Violation Ticket

- 19(1) If the penalty specified on the Violation Tag is not paid within the prescribed time period then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.
- 19(2) 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 Procedures Act, as amended, to any Person who the Peace Officer has reasonable grounds to believe has contravened any provisions of this Bylaw.

PART 10 LEGAL

Section 20 Liability

- 20(1) The County, any Peace Officer or any Person who inspects any Property under this Bylaw or any Person who performs any work on behalf of the County to remedy a Nuisance is not liable for any damages caused by the inspection, the work or disposing of anything referred to in an Order or a Compliance Notice under section 545 or 546 of the Act.

Section 21 Severability

21(1) If at any time, any provision of this Bylaw is declared or held to be illegal, invalid, or *ultra vires*, in whole or in part, then the provision shall not apply and the remainder of this Bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid or *ultra vires* provision.

Section 22 Repeal

22(1) The County Bylaws 09-021 and 12-012 shall be repealed upon passage of this Bylaw.

23(1) This Bylaw shall come into effect upon passing of the third reading, or October 17, 2018, whichever date is later.

MOTION BY DEPUTY MAYOR BORGUN THAT BYLAW 18-024 BE GIVEN FIRST READING THIS 4th DAY OF SEPTEMBER, 2018.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

MOTION BY COUNCILLOR COTE THAT BYLAW 18-024 BE GIVEN SECOND READING THIS 11th DAY OF SEPTEMBER, 2018.

MOTION BY COUNCILLOR STEDMAN THAT BYLAW 18-024 BE GIVEN THIRD READING THIS 11th DAY OF SEPTEMBER, 2018.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

SCHEDULE "A"

The Community Standards Bylaw 18-024

SPECIFIED PENALTIES

Sec.	Offence	First Offence Penalties
3(1)	Untidy, Unsightly, Unsafe or Nuisance Property	\$300.00
3(2)	Derelict Building	\$300.00
3(3)	Having a Junked Vehicle in any part of a yard	\$300.00
3(4)	Having accumulation of material that creates unpleasant odour/attracts animals/animal remains/ parts of animal remains/animal feces	\$300.00
3(5)	Having open/exposed storage of industrial fluids	\$300.00
3(6)	Having accumulation of Refuse on Property	\$300.00
3(7)	Fridge/freezer hinges/latches not removed	\$100.00
3(8)	Fridge/freezer on Property not properly locked	\$100.00
3(9)	Having discarded appliance on Property	\$100.00
3(10) (a)	Failing to cut grass below specified height	\$200.00
3(10) (b)	Failing to eradicate noxious weeds	\$200.00
3(10) (c)	Failing to remove dead grass, brush, rubbish from premises	\$200.00
3(10) (d)	Failing to remove or prune trees that interfere/endanger lines/poles/conduits/pipes/sewers/other works of a municipality/other public utility	\$200.00
3(10) (e)	Failing to repair/paint/generally maintain/remove derelict fences/other construction	\$200.00
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	\$200.00

SPECIFIED PENALTIES

Sec.	Offence	First Offence Penalties
3(12)	Failing to stack/store building materials/orderly manner	\$200.00
3(14)	Allowing smoke to be a Nuisance	\$200.00
3(16)	Failing to ensure a Housing Premise is in a Safe Condition	\$300.00
3(17)	Failing to ensure Housing Premises are supplied with adequate facilities	\$300.00
3(18)	Failing to ensure common area is safe	\$300.00
3(19)	Failing to ensure that facilities are in proper operating condition	\$300.00
3(20)	Failing to maintain Housing Premises in compliance with the Act	\$300.00
3(21)	Occupying/permitting to occupy a premises unfit for habitation	\$300.00
3(22)	Causing/permitting a condition dangerous to public health	\$300.00
5(2)	Prohibiting/interfering with a Peace Officer conducting an Inspection	\$500.00
7(1) (a)	Littering	\$200.00
7(1) (b)	Tipping/damaging/interfering with/removal trash from public waste bin	\$200.00
7(1) (c)	Urinating in public	\$300.00
7(1) (d)	Defecating in public	\$300.00
7(1) (e)	Spitting in public	\$100.00
7(1) (f)	Loitering in a Public Place	\$100.00
7(1) (g)	Engaging in Panhandling	\$100.00
7(1) (h)	Standing/placing feet on top of/or surface of/table/ bench/planter or sculpture	\$100.00
7(1) (i)	Use a privately owned waste receptacle for personal waste	\$200.00
7(2)	Creating or applying Graffiti	\$800.00
7(3)	Possessing instrument for the purpose of applying Graffiti	\$200.00

SPECIFIED PENALTIES

Sec.	Offence	First Offence Penalties
8 (2) (a)	Disturbing the peace-anytime	\$200.00
8(2) (b)	Disturbing the peace- quiet hours	\$400.00
8(2) (c)	Motor Vehicle causing excessive Noise	\$200.00
8(2) (d)	Off Highway Vehicle causing excessive Noise	\$200.00
8(3)	Owner allowing excessive Noise	\$200.00
8(6)	Loading/Unloading Vehicles/residential area during quiet hours	\$100.00
8(7)	Engaging in construction during quiet hours	\$400.00
8(8)	Operating motor driven machine during quiet hours	\$200.00
8(9)	Having an animal that disturbs the peace	\$200.00
8(10)	Operating sound amplifying equipment that disturbs the peace	\$400.00
8(11)	Operating engine retarder brake	\$100.00
8(15) (d)	Failing to comply with the terms and conditions of a Noise Permit	\$250.00
9(2)	Prohibiting/Interfering with a Peace Officer conducting inspection	\$250.00
10(1)	Failing to remove snow/ice/dirt/debris/other material	\$200.00
10(2)	Placing snow/ice/dirt/debris/other material on a Highway/in a Public Place/on private property	\$200.00
11(1)	Smoke/Vape/consume Cannabis in a prohibited area	\$287.00
13(4)	Failing to comply with the terms and conditions of a Cannabis Event Permit	\$250.00
15(1)(a)	Smoke/Vape in public premise or a public transit bus	\$287.00
15(1)(b)	Smoke/Vape within prescribed distance of an outdoor park, recreation area or rink	\$287.00
15 (1)(c)	Smoke/Vape within five metres of entrance/exit of Public Premises	\$287.00

SPECIFIED PENALTIES

Sec.	Offence	First Offence Penalties
16	Obstruct a Peace Officer	\$250.00
17(2)	Failing/neglecting/refusing to remedy a Nuisance	\$100.00/day