

**BYLAW 23-014
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 pass bylaws respecting nuisances, and may also pass bylaws related to, unsightly, untidy, unsafe or dangerous property;

AND WHEREAS, the 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 and in the best interest of community safety to control and prohibit fighting in a public place, prevent the harassment of persons and to set a curfew for minors within the boundaries of Lac La Biche County;

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;

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

NOW THEREFORE under the authority and pursuant to the provisions of the said *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

SECTION 1 TITLE

This bylaw is called the “Community Standards and Safety Bylaw”.

SECTION 2 DEFINITIONS

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

- 2(1) “**Act**” means the *Municipal Government Act*, RSA 2000, c. M 26, and amendments thereto.
- 2(2) “**Agricultural Zoned Lands**” means “Agricultural District (AG)” as described in the Land Use Bylaw 17-004, and amendments thereto, of Lac La Biche County.
- 2(3) “**Audible Scare Device**” means a device using sounds to deter animals.

- 2(4) **“Building”** means anything constructed or placed on, in, over or under land, but does not include a Highway or road or bridge that forms part of a highway or road.
- 2(5) **“Bullying” or “Bully”** means the repeated, and hostile or demeaning behaviour by a person or group, either directly or through any medium whatsoever, where the behaviour results in physical, emotional, or mental harm, fear, or distress to one or more person, based on but not limited to ability, race, ethnicity, gender, or sexual orientation or identity.
- 2(6) **“Bylaw”** means the County Community Standards and Safety Bylaw.
- 2(7) **“Cannabis”** means any product composed in whole or part of cannabis as defined by the Cannabis Act.
- 2(8) **“Cannabis Act”** means the *Cannabis Act*, SC 2018, c. 16, and amendments thereto.
- 2(9) **“Chief Administrative Officer” or “CAO”** means the Chief Administrative Officer for the County or his or her designate.
- 2(10) **“Child”** means a person who is or, in the absence of evidence to the contrary, appears to be less than 12 years old.;
- 2(11) **“Compound”** means an area where Junked Vehicles are towed and/or stored on a temporary basis after being seized, awaiting repair, pick-up, or transfer to an automobile wrecking establishment.
- 2(12) **“Community Event” or “Event”** means any celebration, event, activity, or thing so designated by resolution of Council.
- 2(13) **“Construction Equipment”** means machinery or equipment typically utilized in the construction process and shall include but not be limited to a riveting machine, concrete mixer, gravel crusher, steam shovel, dragline, backhoe, air or steam compressor, jackhammer, 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 that creates excessive noise.
- 2(14) **“Council”** means the Municipal Council of Lac La Biche County.
- 2(15) **“County”** means Lac La Biche County.
- 2(16) **“Cyber-Bullying”** means the use of electronic communication to Bully a person.
- 2(17) **“Defecate”** means to discharge waste matters from the bowels.
- 2(18) **“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 allurements to children;
 - (e) that constitutes a hazard to the health or safety of the public;
 - (f) that is unsightly 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(19) **“Electronic Smoking Device”** or **“Vaping 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(20) **“Graffiti”** means words, figures, letter, or drawings scribbled, scratched, sprayed, or applied by any other means on a surface without the consent of the Owner of the Building or Property on which they are placed.
- 2(21) **“Hamlets”** means 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(22) **“Harassment”** or **“Harass”** means any single or repeated incident of objectionable or unwanted verbal or physical conduct, contact, attention, demands, jokes, comments, insults or actions by a person that the person knows or ought reasonably to know will or would cause offence, humiliation or adversely affect the health and safety of another person; including any form of discrimination or bullying based on race, religious beliefs, color, sexual orientation, gender, gender identity or expression, physical or mental disability, age, ancestry, place of origin, marital status, source of income, or family status.
- 2(23) **“Highway”** means 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(24) **“Holiday”** means any day declared as such by Municipal, Provincial or Federal authority and includes Sundays.
- 2(25) **“Junked Vehicle”** means a Vehicle that:
- (a) is in a wrecked, partly wrecked, dismantled, partly dismantled, inoperative, unregistered or abandoned condition; or
 - (b) is determined to be not roadworthy, and is not located in a building or on a Property, such that it is concealed from view;

unless the Vehicle forms part of a business enterprise which deals with such Vehicles in the ordinary course of its business, and the business is appropriately licensed, is in possession of a development permit which allows for this use in such a manner, and is in full compliance with all the terms and conditions of its permit and licenses.

- 2(26) **"Legitimate Reason"** means traveling to/from a child's place of residence to attend public, school, athletic, educational, or religious events or to take part in volunteering activities which are organized and supervised by adults.
- 2(27) **"Litter"** means 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(28) **"Loiter"** means to stand idly around, hang around, linger, tarry, saunter, delay, or dawdle creating an obstruction by rendering impassable any street, road, sidewalk, or any other area of public passage, causing interference with or intrusion upon the passage upon any street, road, sidewalk, or any other area of public passage of any person.
- 2(29) **"Motor Vehicle"** or **"Vehicle"** means Motor Vehicle as defined in the *Traffic Safety Act*, RSA, 2000, c. T-6 and amendments thereto.
- 2(30) **"Noise"** means any sound which in the opinion of the Peace Officer, having regard for all circumstances, including the time of day and the nature of the activity generating the sound, is likely to unreasonably annoy or disturb Persons or to injure, endanger or detract from the comfort, enjoyment, repose, health, peace, or safety of Persons within the County.
- 2(31) **"Nuisance"** for the purpose of this Bylaw means any use of or activity upon any Property which in the opinion of a Peace Officer or other designated officer is dangerous to health, or has or may have a detrimental impact upon any Person or other Property in the vicinity, or which creates an unreasonable interference with the use or enjoyment of other Property, and without limiting the generality of the foregoing, includes the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any Property, where the same are accumulated and become in a dilapidated and unsightly condition whether or not their posting or exhibiting is permitted by this or any other bylaw, and also includes an unsightly or dangerous structure, excavation or hole within the meaning of section 546 of the Act.
- 2(32) **"Occupant"** means a Person occupying a Property or a Person who has rented, leased or has permission to use the Property.
- 2(33) **"Occupant of Land"** includes the Owner of any lot or parcel of land within the County whether a dwelling place is present on the land or not. For the purposes of this Bylaw the "Occupant of Land" shall also be deemed to be the Occupant of that portion of any Highway within the 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(34) **"Off-Highway Vehicle"** is as defined in the *Traffic Safety Act*, RSA, 2000, c. T-6 and amendments thereto.
- 2(35) **"Owner"** means the Person who is a registered Owner of a Property or who has any other ownership interest in a Property.
- 2(36) **"Panhandling"** means the personal, verbal and direct solicitation by a Person of gratuitous donations of money, foods or goods of any kind from any member of the public, but does not include a solicitation allowed or authorized pursuant to the *Charitable Fundraising Act*, RSA 2000, c. C-9, and amendments thereto.
- 2(37) **"Parent"** or **"Guardian"** means the actual parent, guardian or foster parent of a child and any other person 18 years of age or over who has the care and control of a child.
- 2(38) **"Peace Officer"** means any sworn member of the Royal Canadian Mounted Police, 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(39) **"Permit"** means a written Permit issued by the Chief Administrative Officer and or his/her designate.
- 2(40) **"Person"** or **"Persons"** includes a corporation or other form of body corporate or other legal construct and their successors or assigns, and individuals and their heirs, executors, administrators, other legal representatives, or assigns.
- 2(41) **"Property"** means any parcel of land, Buildings, or any personal property located thereupon within the County.
- 2(42) **"Provincial Offences Procedures Act"** means the *Provincial Offences Procedure Act*, RSA 2000, c P-34 and amendments thereto.
- 2(43) **"Public Building"** means any Buildings owned by the County.
- 2(44) **"Public Health Act"** means the *Public Health Act*, RSA 2000, c P-37 and amendments thereto.
- 2(45) **"Public Lands"** means all lands under the ownership and control of His Majesty the King in right of Canada, His Majesty the King in the right of Alberta, or the County, or any combination thereof.
- 2(46) **"Public Place"** means any place within the County to which the public may have either express or implied access, or any part of a Building, structure or other enclosed area owned by the County to which members of the public have access as of right or by express or implied invitation.
- 2(47) **"Public Transit Bus"** means a vehicle offered for public transportation and owned or operated by or on behalf of the County.
- 2(48) **"Quiet Time"** means the time or times designated by section 5(1) of this Bylaw.

- 2(49) **"Refuse"** means junked or disposed of articles including but not limited to bottles, cans, solid wastes, woods, metals, tires, broken dishes, tins, glass, rags, cast-off clothing, wastepaper, cardboard, food containers, food wrappers, grass cuttings, shrubbery and tree pruning, weeds and garden waste, Junked Vehicles, Vehicle parts, residential furnishings, household appliances, animal feces, garbage bags and all other discarded materials.
- 2(50) **"Residential Premises"** means any structure that is used or intended to be used wholly or partly for accommodation purposes and includes:
- (a) an apartment building or condominium;
 - (b) a dormitory;
 - (c) a private dwelling;
 - (d) a hotel or motel;
 - (e) a lodging house;
 - (f) a mobile home, trailer or modular structure;
 - (g) a rooming house.
- 2(51) **"Residential Zoned Lands"** means "Residential District" as described in the Land Use Bylaw 17-004, and amendments thereto, of Lac La Biche County.
- 2(52) **"Sidewalk"** means that portion of a Highway between the curb lines, or the lateral lines of a roadway, and the adjacent Property lines, intended for the use of pedestrians with the exception of the areas chosen by the County to be designated winter snow reservoir areas.
- 2(53) **"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(54) **"Spit"** means to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth.
- 2(55) **"Tow Company"** means any person or business engaged in seizing, transporting, or storing Junked Vehicles, or the disposal of abandoned vehicles for compensation.
- 2(56) **"Urinate"** means to discharge urine from the body.
- 2(57) **"Unsafe Property"** means a Property which, in the opinion of a Peace Officer, is (a) dangerous to public safety or (b) dangerous to Property.
- 2(58) **"Unightly Property"** or **"Unightly"** or **"Untidy Property"** or **"Untidy"** means any Property or part of Property which is characterized by visual evidence of a lack of general maintenance and upkeep by the accumulation of:
- (a) any Refuse, including the open or exposed storage of industrial fluids;
 - (b) the whole or part of any Junked Vehicles,
 - (c) equipment or machinery which has been rendered inoperative by reason of its disassembly, age, or mechanical condition and includes any household appliances.

2(59) **“Vape”** or **“Vaping”** means the use of an Electronic Smoking or Vaping Device.

2(60) **“Violation Tag”** means a ticket or similar document issued by a Peace Officer on behalf of the County.

2(61) **“Violation Ticket”** means a ticket issued pursuant to *Provincial Offences Procedure Act*.

2(62) **“Young Person”** means any person who is twelve years or older but less than eighteen years of age.

SECTION 3 PROPERTY NUISANCES AND SAFETY

- 3(1) No Owner or Occupant of any Property shall allow the Property which they own or occupy to be or to become an Unsightly Property, Untidy Property or a Nuisance.
- 3(2) No Owner or Occupant of any Property shall allow the Property which they own or occupy to be or to become an Unsafe Property.
- 3(3) No Owner or Occupant of any land shall allow a Derelict Building to remain on the land at any time.
- 3(4) 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 Property;
 - (b) eradicate noxious weeds;
 - (c) remove from the Property any dead grass, brush, rubbish, or anything else which is considered Untidy or Unsightly;
 - (d) remove or prune trees that in any way interfere with or endanger the lines, poles, conduits, pipes, sewer, or other works of the 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 multi-family developments; and
 - (g) ensure that Graffiti placed on their Property is removed, painted over, or otherwise permanently blocked from public view.
- 3(5) No Owner or Occupant of Property shall have or allow on the Property the accumulation of materials, whether new or used, unless that Owner or Occupant can establish that a construction or renovation project is being carried out on the Property and that;
- (a) the project has begun, or the beginning of work is imminent;
 - (b) the materials found on the Property relate to the project taking place on the Property in a quantity reasonable to complete the project; and
 - (c) the work on the project has not been suspended for a period in excess of sixty days;
- This section does not include Refuse generated from the project, which may never accumulate on Property.
- 3(6) An Owner or Occupant of a Property shall ensure that all building materials referred to in section 3(5) that are stored on the Property are stacked or stored in an orderly manner.
- 3(7) Notwithstanding anything in section 3(5), it shall not be an offence to store a small amount of neatly stacked materials on a Property for basic Property maintenance.
- 3(8) No Persons shall allow smoke from an approved open burning fire to become or remain a Nuisance to any other Person.

- 3(9) Section 3(4) thru 3(7) shall not apply to Agricultural Zoned Lands.
- 3(10) Junked Vehicles being kept on the property of a Tow Company must be stored within a Compound. Junked Vehicles or Refuse must not be visible from the outside of the Compound. Junked Vehicles stored within a Compound must not remain on said property for more than 30 days.
- 3(11) Notwithstanding anything in Section 3(10), it shall not be an offence to store a Junked Vehicle within a Compound for more than 30 days, but less than 45 days, in the event the Junked Vehicle was seized, pursuant to the *Traffic Safety Act*, for a period of 30 days.
- 3(12) Notwithstanding anything in Section 3(10), it shall not be an offence to store a Junked Vehicle within a Compound for more than 60 days, but less than 75 days, in the event the Junked Vehicle was seized, pursuant to the *Traffic Safety Act*, for a period of 60 days.

SECTION 4 SIDEWALKS

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

SECTION 5 NOISE ABATEMENT

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

- 5(3) No Owner shall allow Property they own to be used in such a way that there is Noise originating from the Property.
- 5(4) A Peace Officer may direct any Person who has caused or made Noise, or any Person who owns Property from which Noise has originated, to abate or eliminate the Noise. Such a direction may be either verbal or written.
- 5(5) Where an activity which is not specifically prohibited by any federal, provincial or municipal laws or regulations, including this Bylaw and which involves creating or making a sound which is or may become Noise, the Person engaging in such activity shall do so in such manner as to create as little sound or Noise as practicable under the circumstances.
- 5(6) No Person shall, during Quiet Time, load or unload Motor Vehicles in any area designated as Residential pursuant to the County Land Use Bylaw 17-004.
- 5(7) No Person shall, during Quiet Time, without the written approval of the Chief Administrative Officer or his/her designate carry on construction of any type which, without restricting the generality of the foregoing, involves hammering, sawing or the use of any Construction Equipment capable of creating a sound which may be heard beyond the boundaries of the Property on which the activity is being carried out.
- 5(8) No Person shall, during Quiet Time, operate a lawn mower, snow removal machine, chain saw, or any other motor driven machine in any Residential Zoned Land.
- 5(9) 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.
- 5(10) No person shall operate Engine Retarder Brakes when driving within the Hamlets of the County.
- 5(11) The Chief Administrative Officer may upon written request issue a Permit to a Person for the purpose of temporarily exempting the Person or activity from the Noise provisions of this Bylaw.
- 5(12) A Permit issued under this Bylaw shall;
 - (a) include the dates and hours during which Noise may occur;
 - (b) name and address of Person or organization requesting the exemption;
 - (c) telephone number of Person or organization requesting the exemption;
 - (d) include a fee of \$50.00 payable to the County;
 - (e) be produced to a Peace Officer upon demand.
- 5(13) Persons owning or controlling Construction Equipment, and Persons owning or controlling land on which Construction Equipment is being operated shall be exempt from section 5(2)(a) of this Bylaw if:
 - (a) the Noise is generated pursuant to work done in a normal manner for the industry;
 - (b) the Noise is not generated during Quiet Time; and

- (c) all necessary federal, provincial and municipal permits, licenses and approvals have been obtained and the work is not contrary to any federal, provincial or municipal laws or regulations.

5(14) Section 5 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 from occupied Residential Premises (other than premises occupied by the Person(s) utilizing the device);
- (d) Persons in possession of certificate/authorization issued by the Minister per Part 1 of the *Agriculture Operation Practices Act*, and
- (e) Persons in possession of a Permit issued under section 5(12) of this Bylaw, provided they comply with the terms and conditions of such Permit.

SECTION 6 ORDER BY A PEACE OFFICER OR DESIGNATED OFFICER

- 6(1) Where any Property in the County is in the opinion of a Peace Officer or other designated officer to be Untidy, Unsightly, Unsafe or of a Nuisance; the Officer may give notice in writing to a Person who is under a duty imposed by this Bylaw to prevent such a condition or to remedy the same, and the Peace Officer may direct that this be done in such a manner as the Peace Officer or other designated officer deems advisable on or before a day to be specified in the Order.
- 6(2) Every Person who fails to comply with an Order within the time set out in the Order commits an offence.
- 6(3) A Peace Officer or other designated officer may serve an Order by:
 - (a) delivering it or sending it by ordinary or registered mail to the Owner of the Property;
 - (b) posting it to the door of a building or in any other conspicuous place on the Property, and service is effective on the day of the posting; or
 - (c) delivering it in person or mailing it to any Owner, Occupant or agent, and service is effective upon receipt or deemed receipt as per Section 23(1) and 23(2) of the *Interpretation Act*.

SECTION 7 PROPERTY INSPECTIONS

- 7(1) A Peace Officer is authorized to enter any land, Building or Property to inspect for conditions that may constitute a contravention of this Bylaw in accordance with section 542 of the Act.
- 7(2) Any person who prohibits or interferes with a Peace Officer conducting an inspection authorized under Section 7(1) of this Bylaw shall be in contravention of Section 15(1) of this Bylaw.

SECTION 8 PUBLIC NUISANCES

- 8(1) No Person, in or near a Public Place or Public Building, shall obstruct, hinder or interrupt the passage of Vehicles, traffic or pedestrian traffic through, from or to such Public Place or Public Building.

- 8(2) No Person, in or near a Public Place or Public Building, shall disturb the free use and enjoyment of the Public Place or Public Building by any other Person or violate any bylaw, rule, regulation, or posted notice approved by Council or any Person in control of, maintaining or supervising the Public Place or Public Building;
- 8(3) No Person shall:
- (a) Litter in or on a Public Place or private Property;
 - (b) tip, damage, interfere with or remove trash from any public waste bin;
 - (c) urinate in or on a Public Place or any place the public is allowed access, other than in a facility designed and intended for such use;
 - (d) defecate in or on a Public Place or any place the public is allowed access, other than in a facility designed and intended for such use;
 - (e) spit on any street, Sidewalk, pathway, trail or in or on any Public Place or any place the public is allowed access;
 - (f) loiter in a Public Place;
 - (g) engage in Panhandling;
 - (h) stand, sleep or put their feet on the top surface of any table, bench, planter or sculpture placed in any Public Place or Public Building; or
 - (i) use a privately owned waste receptacle unless the Person has the legal right to do so.
- 8(4) No Person shall create or apply Graffiti on any Building or object in a Public Place without the prior approval of the Owner and/or Council, as the case may be.
- 8(5) No Person shall, without lawful excuse, have in their possession any instrument suitable for the purpose of applying Graffiti, under circumstances that give rise to a reasonable inference that the instrument has been used or is or was intended to be used for such purpose.
- 8(6) Any Owner who wishes to allow Graffiti to be placed on their Property must first obtain written approval from Council prior to allowing the Graffiti to be placed on the Property
- 8(7) In addition to any other penalty under this Bylaw, any Person who violates this section may be removed from the Public Place or Public Building.

SECTION 9 HARASSMENT/FIGHTING

- 9(1) No Person shall, in or near any Public Place or any place to which the public reasonably has access:
- (a) interrupt or disrupt the normal course of events or activities by (i) fighting, screaming, shouting, swearing, or using insulting or obscene language, (ii) being intoxicated or inebriated by alcohol or another drug or substance, or (iii) impeding or Harassing other Persons
 - (b) communicate, cause or permit communication, either directly or indirectly using any medium, with any Person in a way that would cause a Person, reasonably under any circumstances, to feel intimidated or Harassed;

- (c) participate, encourage or support any Person engaged in an act of intimidation or harassment, under any circumstances, whether of another Person or a group of Persons;
- (d) cast, project or throw any object, rocks or stones, balls of snow or ice or other projectiles or cause any object to be a projectile, including any firework, or use any bow or arrow, catapult or other such device on any of Highway or Public Place of the County in any manner which is dangerous to the public; or
- (e) participate in a fight or other similar physical confrontation.

9(2) Any Person who contravenes section 9(1) is guilty of an offence.

9(3) In the prosecution for a contravention of this section, the Court may, in the absence of evidence to the contrary, infer from the evidence of a Peace Officer relating to the conduct of a Person or Persons, whether ascertained or not, that an offence described in section 9 was caused or occurred.

SECTION 10 BULLYING

10(1) General Prohibition – Young Person or Child

- (a) No Young Person or Child shall, in any Public Place, communicate either directly, indirectly, or through any form of media, with any person in a manner that would cause a reasonable Person to feel Bullied.
- (b) No Young Person or Child shall encourage or support any Person engaged in the act of Bullying, through any medium, of another Person or group of Persons.
- (c) No Parent, or Guardian of a Young Person or Child shall allow, permit, or encourage a Young Person or Child under their care to engage in the Bullying or Cyber Bullying of another Person or group of Persons.

10(2) Court Diversion Alternative

- (a) A Peace Officer, upon completing their investigation and who reasonably believes that an offence under this Section has been committed, based on the totality of the circumstances of the offence, may require the Accused to;
 - i. Provide a Peace Officer with a letter of apology to the victim of their Bullying behaviour. Upon approval of the contents of the letter, a copy of that letter will be provided to the victim; and
 - ii. Attend and successfully complete an approved education session, which may require they be accompanied by a Parent or Guardian, to be determined by a Peace Officer.
- (b) If the Court Diversion Alternative is pursued and following the successful completion of the Court Diversion Alternative, the matter will be concluded without charge, however this record may be

used in evidence should the Bullying behaviour continue and result in a charge issued pursuant to this Section.

- (c) Should any requirement of Section 10(2)(a) not be completed within the period of time specific by the Peace Officer, Peace Officer may issue a Violation Ticket and refer the matter to the Provincial Court for prosecution.
- (d) The Court Diversion Alternative is available only once to an individual. The Court Diversion Alternative is only available to a Young Person or Child.

10(3) General Prohibition – Adults

- (a) For the purposes of this section, an “Adult” is a Person who is over the age of eighteen.
- (b) No Adult shall, in any Public Place, communicate either directly, indirectly, or through any form of media, with any Person in a manner that would cause a reasonable person to feel bullied.
- (c) No Adult shall encourage or support any Person engaged in the act of Bullying, through any medium, of another Person or group of Persons.

SECTION 11 CURFEW

11(1) No Child shall be in a Public Place within the County during the curfew period, which is between the hours of 11:00 p.m. and 6:00 a.m. on any day of the week, without a Parent or Guardian present unless the Child has a Legitimate Reason.

11(2) No Parent or Guardian shall permit or allow any Child who is in his or her custody, care or control to be in a Public Place during the curfew period unless that Child is accompanied by a Parent or Guardian or has a Legitimate Reason.

SECTION 12 TOBACCO AND SMOKING

12(1) No Person shall Smoke or Vape:

- (a) in any Public Building or a Public Transit Bus;
- (b) in or on an (i) outdoor skating rink, (ii) playground, (iii) skate park, (iv) sports field, or (v) outdoor park or recreation area to which the public has access as of right of by express or implied invitation; or
- (c) within 5 metres of an entrance or exit to any Public Building.

12(2) No Person shall remove, alter, conceal, deface or destroy any sign posted indicating that smoking is prohibited pursuant to this Bylaw.

12(3) Notwithstanding anything contained in this Bylaw, the prohibitions set out in section 12(1) do not apply to any Residential Premises and surrounding land on the same lot or parcel.

SECTION 13 CANNABIS

- 13(1) No Person shall Smoke, Vape or consume Cannabis within the boundaries of the County, except for:
- (a) on private Property where such use has been authorized by the Owner and is permitted under provincial legislation or the *Cannabis Act*; and
 - (b) in an authorized designated area where a Permit has been issued under section 14(5) of this Bylaw.

SECTION 14 DESIGNATED AREAS

- 14(1) Notwithstanding section 13, 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.
- 14(2) The Chief Administrative Officer may impose conditions on a Permit granted pursuant to section 14(1).
- 14(3) The Chief Administrative Officer may suspend or revoke a Permit issued pursuant to section 14(1) if the Chief Administrative Officer determines that a Permit holder or any Person at an Event for which a Permit has been issued has contravened any federal or provincial legislation, this Bylaw or conditions of the Permit.
- 14(4) The holder of a Permit issued pursuant to section 14(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) any advertising or other materials relating to the promotion of Cannabis cannot be seen by Persons under the age of 18.
- 14(5) A Permit issued under this Bylaw shall;
- (a) include the name and address of the Person or organization requesting an exemption;
 - (b) include the telephone number of the Person or organization requesting an exemption;
 - (c) include a fee of \$50.00 payable to the County; and
 - (d) be produced to a Peace Officer upon demand.

- 14(6) Council may by resolution designate areas located on County-owned Public Places in which Cannabis may be Smoked, Vaped or consumed.

SECTION 15 OBSTRUCTION

- 15(1) No person shall provide false information or interfere with a Peace Officer while engaged in the execution of their duties.

SECTION 16 ENFORCEMENT

16(1) The offences under this Bylaw in respect of which a voluntary specified penalty may be made are set out in Schedule "A". An offence will be classified as a second, third or subsequent offence if the same offender has been charged with the same offence in the preceding 12-month period.

SECTION 17 PENALTY

17(1) Any Person who contravenes any provisions of this Bylaw is guilty of an offence and liable upon summary conviction;

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

17(2) A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provisions of this Bylaw.

17(3) Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay the County the penalty specified on the Violation Tag.

17(4) If the penalty specified on the Violation Tag is not paid within the prescribed period, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

17(5) 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.

SECTION 18 LIABILITY

18(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 damage caused by the inspection, the work or disposing of anything referred to in an Order to Remedy Contraventions under s. 545 of the Act or an Order to Remedy Dangers and Unsightly Property under s. 546 of the Act.

SECTION 19 SEVERABILITY

19(1) All sections of this Bylaw are separate and severable. Should any part, section, or subsection of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason; the

remaining parts, sections, and subsections shall remain valid and in full force and effect.

SECTION 20 REPEAL

20(1) Bylaw 23-013 of Lac la Biche County is hereby repealed upon this bylaw coming into effect.

SECTION 21 EFFECTIVE DATE

21(1) This Bylaw shall come into effect upon passing of the third reading.

THAT BYLAW 23-014 BE GIVEN FIRST READING THIS 14TH DAY OF MARCH 2023.

THAT BYLAW 23-014 BE GIVEN SECOND READING THIS 14TH DAY OF MARCH 2023.

THAT BYLAW 23-014 BE SUBMITTED FOR THIRD AND FINAL READING THIS 14TH DAY OF MARCH 2023.

THAT BYLAW 23-014 BE GIVEN THIRD AND FINAL READING THIS 14th DAY OF MARCH 2023.

“Original Signed”

Mayor

“Original Signed”

Chief Administrative Officer

SCHEDULE "A"
The Community Standards and Safety Bylaw 23-014

SPECIFIED PENALTIES

Section	Offence	1st Offence	2nd Offence	3rd and Subsequent Offence
3(1)	Untidy, Unsightly, or Nuisance Property	\$500.00	\$1000.00	COURT
3(2)	Unsafe Property	\$750.00	\$1500.00	COURT
3(3)	Derelict Building	\$500.00	\$1000.00	COURT
3(4)(a)	Failing to cut grass below specified height	\$200.00	\$400.00	COURT
3(4)(b)	Failing to eradicate noxious weeds	\$200.00	\$400.00	COURT
3(4)(c)	Failing to remove dead grass, brush, rubbish from Property	\$200.00	\$400.00	COURT
3(4)(d)	Failing to remove or prune trees that interfere/endoranger lines/ poles/ conduits/ pipes/ sewers/ other works of a municipality/other public utility	\$200.00	\$400.00	COURT
3(4)(e)	Failing to repair/paint/generally maintain/remove derelict fences/other construction	\$200.00	\$400.00	COURT
3(4)(f)	Failing to repair/paint/maintain private recreation areas	\$200.00	\$400.00	COURT
3(4)(g)	Failing to remove/paint over/permanently block Graffiti	\$300.00	\$600.00	COURT
3(5)	Having accumulation of building materials on Property	\$200.00	\$400.00	COURT
3(6)	Failing to stack/store building materials/orderly manner	\$200.00	\$400.00	COURT
3(8)	Allowing smoke to be a Nuisance	\$200.00	\$400.00	COURT
3(10)	Junked Vehicle remain in Compound for more than 30 days/Junked Vehicle not stored within Compound.	\$500.00	\$1000.00	COURT
4(1)	Failing to remove snow/ice/dirt/debris/other material	\$200.00	\$400.00	COURT
4(2)	Placing snow/ice/dirt/debris/other material on a Highway/in a Public Place/on private property	\$200.00	\$400.00	COURT
5(2)(a)	Disturbing the peace-anytime	\$200.00	\$400.00	COURT
5(2)(b)	Motor Vehicle causing excessive Noise	\$400.00	\$800.00	COURT
5(2)(c)	Off Highway Vehicle causing excessive Noise	\$400.00	\$800.00	COURT
5(3)	Owner allowing Noise	\$400.00	\$800.00	COURT
5(6)	Loading/Unloading Vehicles/residential area during quiet hours	\$100.00	\$200.00	COURT
5(7)	Engaging in construction during quiet hours	\$400.00	\$800.00	COURT
5(8)	Operating motor driven machine during quiet hours	\$200.00	\$400.00	COURT
5(9)	Having an animal that disturbs the peace	\$200.00	\$400.00	COURT
5(10)	Operating sound amplifying equipment that disturbs the peace	\$400.00	\$800.00	COURT
5(11)	Operating engine retarder brake	\$100.00	\$200.00	COURT
5(15)(e)	Failing to comply with the terms and conditions of a Noise Permit	\$250.00	\$500.00	COURT
6(2)	Fail to comply with an Order	\$1000.00	\$2000.00	COURT
8(1)	Obstruct, hinder or interrupt passage of vehicles or pedestrians	\$300.00	\$600.00	COURT

8(2)	Disturb free use or enjoyment of Public Place or Buildings	\$300.00	\$600.00	COURT
8(3)(a)	Littering	\$2500.00	\$5000.00	COURT
8(3)(b)	Tipping/damaging/interfering with/removal trash from public waste bin	\$500.00	\$1000.00	COURT
8(3)(c)	Urinating in public	\$500.00	\$1000.00	COURT
8(3)(d)	Defecating in public	\$500.00	\$1000.00	COURT
8(3)(e)	Spitting in public	\$200.00	\$400.00	COURT
8(3)(f)	Loitering in a Public Place	\$300.00	\$600.00	COURT
8(3)(g)	Engaging in Panhandling	\$300.00	\$600.00	COURT
8(3)(h)	Standing/Sleeping/placing feet on top of/or surface of/table/bench/planter or sculpture	\$100.00	\$200.00	COURT
8(3)(i)	Use a privately owned waste receptacle for personal waste	\$200.00	\$400.00	COURT
8(4)	Creating or applying Graffiti	\$800.00	\$1600.00	COURT
8(5)	Possessing instrument for the purpose of applying Graffiti	\$200.00	\$400.00	COURT
9(1)(a)	Cause disruption of normal course of activities	\$800.00	\$1600.00	COURT
9(1)(b)	Harassment of a person(s)	\$800.00	\$1600.00	COURT
9(1)(c)	Encourage/Cheer on a person committing offence	\$800.00	\$1600.00	COURT
9(1)(d)	Use object in a manner dangerous to the public	\$800.00	\$1600.00	COURT
9(1)(e)	Participate in a fight in a Public Place	\$800.00	\$1600.00	COURT
10(1)(a)	Young Person/Child engages in bullying activity/behaviour	\$250.00	\$500.00	COURT
10(1)(b)	Young Person/Child encourage/support bullying activity/behaviour	\$250.00	\$500.00	COURT
10(1)(c)	Parent/Guadian of Young Person/Child allow/permit/cause bully behaviour/activity	\$250.00	\$500.00	COURT
10(3)(b)	Adult engages in bullying activity/behaviour	\$500.00	\$1000.00	COURT
10(3)(c)	Adult encourage/support bullying activity/behaviour	\$500.00	\$1000.00	COURT
11(1)	Child in a Public Place during curfew period	\$200.00	\$400.00	COURT
11(2)	Allow a child to be in a Public Place during curfew period	\$200.00	\$400.00	COURT
12(1)(a)	Smoke/Vape in Public Buildings or a Public Transit Bus	\$300.00	\$600.00	COURT
12(1)(b)	Smoke/Vape within prescribed distance of an outdoor park, recreation area or rink	\$300.00	\$600.00	COURT
12(1)(c)	Smoke/Vape within five metres of entrance/exit of Public Buildings	\$300.00	\$600.00	COURT
21(1)(2)	Remove/alter/conceal/deface/destroy any sign posted indicating smoking is prohibited	\$200.00	\$400.00	COURT
13(1)	Smoke/Vape/consume Cannabis in a prohibited area	\$300.00	\$600.00	COURT
14(3)	Failing to comply with the terms and conditions of an Event Permit	\$500.00	\$1000.00	COURT
15(1)	Obstruct a Peace Officer	\$500.00	\$1000.00	COURT