

**LAC STE. ANNE COUNTY
PROVINCE OF ALBERTA
BYLAW # 16-2023**

**BEING A BYLAW OF LAC STE. ANNE COUNTY TO
REGULATE NEIGHBORHOOD NUISANCE, SAFETY AND LIVABILITY ISSUES
(COMMUNITY STANDARDS BYLAW)**

WHEREAS the *Municipal Government Act; RSA 2000 c. M26*, authorizes a municipality to pass Bylaws respecting the safety, health and welfare of people and protection of people and Property;

WHEREAS the *Municipal Government Act; RSA 2000 c. M26*, authorizes a municipality to pass Bylaws respecting nuisances, including Unightly Property;

WHEREAS the *Municipal Government Act; RSA 2000 c. M26*, authorizes a municipality to pass Bylaws regarding the remedying of contraventions of Bylaws;

AND WHEREAS, pursuant to the *Safety Codes Act*, a Council may make bylaws respecting minimum maintenance standards for buildings and structures and unsightly or derelict buildings or structures;

AND WHEREAS, it is desirable for regulations which affect neighborhood livability to be located, as much as possible in one Bylaw;

NOW THEREFORE, the Council of Lac Ste. Anne County duly assembled and under the authority of the *Municipal Government Act*, as amended, hereby enacts the following:

PART 1 – INTERPRETATION AND DEFINITIONS

1. This Bylaw may be cited as the “Community Standards Bylaw”.
2. In this Bylaw:
 - a. “Boat” means motor powered water vehicles;
 - b. “CAO” means the Person designated by Council as the Chief Administrative Officer or that Persons designate;
 - c. “Composting” means the managed practice of recycling organic material, including food and yard waste, through biological degradation in a container or pile, to create a useable soil conditioner; and
 - d. “Open Composting Pile” means a Composting site which is not fully contained in a Structure.
 - e. “Council” means the Council for Lac Ste. Anne County;
 - f. “County” means the municipality of Lac Ste. Anne County;
 - g. “Court” means the Provincial Court of Alberta;
 - h. “Concrete Mixer” means a machine that is mounted on a Truck chassis or Trailer capable of carrying concrete in a mixed or partially mixed form and pouring it at the location where it is to be used;

- i. "Construction" means the temporary process of demolishing or building any Structure or repairing or improving a building that already exists, including landscaping, home repairs, Property improvement and any work in connection with that process;
- j. "Continuous Sound" means any Sound Level that occurs; for a continuous duration of more than three minutes, sporadically for a total of more than three minutes, in any continuous 15-minute time period;
- k. "Cultivation" means prepare and use land to raise crops by ploughing it, planting seeds, and taking care of growing plants;
- l. "Daytime" means the period:
 - i. Beginning at 7:00 A.M. and ending at 11:00 P.M. of the same day on Weekdays; or
 - ii. Beginning at 9:00 A.M. and ending at 10:00 P.M. of the same day on Weekends.
- m. "Director of Growth and Compliance" means the Person who is the Director of Growth and Compliance;
- n. "Enforcement Officer" means a Bylaw Enforcement Officer, or a community peace officer employed by Lac Ste. Anne County;
- o. "Graffiti" means any words, figures, letters, or drawings scribbled, scratched or spray painted on a surface with the consent of the Owner of the Property on which they are placed;
- p. "Highway" means a Highway as defined in the *Traffic Safety Act, RSA 2000, c. T-6* as amended;
- q. "Industrial Fluids" includes, but is not limited to engine oil, brake fluid, anti-freeze, or hydraulic fluid;
- r. "Land Use Bylaw" means Lac Ste. Anne's Land Use Bylaw as amended;
- s. "Motor Vehicle" means a Motor Vehicle as defined in the *Traffic Safety Act, RSA 2000, c T-6* as amended;
- t. "Municipal Government Act" means the *Municipal Government Act, RSA 2000, c. M-26* as amended or replaced from time to time;
- u. "Night-time" means the period beginning at 11:00 P.M. and ending the following day:
 - i. 7:00 A.M. if the following day is a Weekday; or
 - ii. 9:00 A.M. if the following day is a Weekend.
- v. "Nuisance" means Property that shows signs of a serious disregard for general maintenance or upkeep, whether or not it is detrimental to the surrounding area, and includes, without limiting the foregoing, those conditions and uses of Property, and emissions from Property, listed in Part 3 Section 2 of this Bylaw;
- w. "Nuisance Animal" means any animal identified in the Pest and Nuisance Control Regulation (3(1)) under the Agricultural Pests Act, including coyotes and skunks;
- x. "Occupant" means any Person other than the registered Owner who is in possession of the Property, including but not restricted to, a lessee, licensee, tenant, or agent of the Owner;
- y. "Order" means an Order as described in Section 545 or Section 546 of the *Municipal*

Government Act, or Part 2 of this Bylaw;

- z. "Owner" means:
- i. The Person as registered on the title at the Land Titles Offices;
 - ii. A Person who is recorded as the Owner of the Property on the County's assessment roll;
 - iii. A Person who has purchased or otherwise acquired Property, whether purchased or other acquired directly from the Owner or from another purchase, and has not become the registered Owner thereof;
 - iv. A Person controlling the Property under construction; or
 - v. A Person who is the Occupant of the Property under a lease, license, or permit;
- aa. "Park" means those reserve lands, recreational lands, and other lands within Lac Ste. Anne County boundaries which are owned by or controlled by the County;
- bb. "Pasture" means a grassy field or grasslands on which cattle, sheep or horses can feed;
- cc. "Person" includes a corporation, an individual, and the heirs, executors, administrators, or other legal representatives of an individual;
- dd. "Power Tool" includes any tool powered by an engine or motor, regardless of whether the mechanism is powered by compressed air, electricity, or fossil fuel;
- ee. "Property" means any land, buildings, structures or premises, or any Personal Property located thereupon within the municipal boundaries of the County;
- ff. "Provincial Offences Procedures Act" means the *Provincial Offences Procedures Act, RSA 2000, c. P34*, and the regulations thereof, as amended or replaced from time to time;
- gg. "Public Place" means any place including privately and publicly owned or leased Property, which the public reasonably has or is permitted to have access, whether on payment or otherwise;
- hh. "Public Property" means any land owned by or under the control of the County;
- ii. "Signaling Device" means any device that produces an audible sound used for the purpose of drawing an individual's attention, including a horn, gong, bell, klaxon, or public address system;
- jj. "Reasonable State of Repair" means the condition of being:
- i. Structurally sound
 - ii. Free from significant physical or aesthetic damage
 - iii. Free from rot or other deterioration; and
 - iv. Safe for its intended use;
- kk. "Recreational Vehicle" means a vehicle designed to be transported on its own wheels or by other means (including units mounted permanently or otherwise on trucks), designed, constructed, reconstructed or added to by accessories in such a manner as will permit its use for sleeping or living purposes for one or more persons and used exclusively by tourists(s) or transient(s) on a generally short term basis which would include a travel trailer, tent trailer and motor home;
- ll. "Recreational Vehicle Storage" means development used for the outdoor storage of tent trailers, travel trailers, motor homes or similar recreational vehicles;

- mm. "Refuse" means:
- i. Rubish, garbage, waste materials, paper, packages, containers, bottles, cans, or parts thereof;
 - ii. Any article, product, machinery, Motor Vehicle, building materials, or other manufactured goods; or
 - iii. Trees, shrubs, sewage, straw, hay, soil, gravel, rock, dead animal, dead fowl, or any material considered foreign to a highway or public land
- nn. "Residential District" means any district which is designated for residential use in the Land Use Bylaw;
- oo. "Residential Parcel" means a parcel of land 4.1 ha (10.0 ac) in size or less which has been created for, or is being principally used for residential purposes;
- pp. "Trailer" means a Trailer as defined in the *Traffic Safety Act, RSA 2000, c. T-6* as amended;
- qq. "Truck" means any vehicle that has a gross allowable maximum vehicle weight in excess of five thousand four hundred and fifty (5,450) kilograms as listed on the official registration certificate issued by the government of the Province of Alberta, regardless of the vehicles' actual weight at a specific time and includes a Truck-Tractor and Tractor Trailer including Refrigeration Unit, but does not include a Concrete Mixer;
- rr. "Unightly Condition" means:
- i. In respect of a structure, a structure whose exterior shows signs of significant physical deterioration, relative to adjacent lands and land uses or relative to other lands and land uses that could reasonably be considered to be in the neighbourhood, and
 - ii. In respect of land, land that shows signs of serious disregard for general maintenance and upkeep, relative to adjacent lands and land uses or relative to other lands and land uses that could reasonably be considered to be in the neighborhood.
 - iii. Naturalization means a portion of a lot where a lawn or perennial garden previously maintained by the owner which has been allowed to re-establish a reproducing population of native species, through a combination of natural regeneration and deliberate plantings of species or other species to emulate a natural area.
 - iv. "Weekday" means Monday through Friday, inclusive unless it falls on a holiday as defined in the *Interpretation Act, RSA 2000 c-I-8*, as amended or replaced from time to time;
 - v. "Weekend" means Saturday and Sunday and any other holiday as defined in the *Interpretation Act, RSA 2000 c I-8*.
- ss. "Work Forces" includes employees of the County and Persons under contract to the County

PART 2 – UNSIGHTLY PROPERTIES

Scope

1. The standards, requirements and prohibitions contained in Part 2 of this Bylaw shall apply to:
 - a. All properties in Lac Ste. Anne County;

Accumulation of Materials

2. No Owner or occupier of a Property shall allow on the Property, the accumulation of:
 - a. Any material that creates unpleasant odours; or
 - b. Animal remains, parts of animal remains, or animal feces.
 - c. Derelict Equipment
 - d. Vegetation
 - e. Refuse
 - f. Garbage, human excrement, sewage, hazardous materials, piles of soil, clay or rubble, petroleum products, metal, plastics, fabrics, used containers, paper products, or any other form of scrap, litter, trash, junk, or waste of any kind;
 - g. Parts of disassembled vehicles (including tires/wheels), appliances, machinery, equipment, or power tools;
 - h. Surplus, disused, damaged, or stored vehicles, trailers, motorcycles, bicycles, and recreational vehicles, including any such items that are inoperative by reason of disrepair, removed or missing parts, age, damage, or which are otherwise not in a legally roadworthy or functioning condition; and

Accumulation of Materials continued

3. Nothing in Part 2 Section 2 shall prevent bona fide agriculture practices.
4. Nothing in Part 2 Section 2 shall prevent or restrict the operations ran by the County or its Commissions;
5. No Owner or Occupant of a Property shall allow the open or exposed storage on the Property of any industrial fluid, including engine oil, brake fluid, antifreeze, or hydraulic fluid.
6. No Person, Owner or Occupant of a Property shall 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;
 - b. Bottles, cans, boxes or packing materials;
 - c. Household furniture or other household goods;
 - d. Automobile parts;
 - e. Parts of or disassembled machinery, equipment, or appliances; or
 - f. Yard waste, including grass, tree and hedge cuttings but excluding ground cover and the contents of a Composting pile as defined in this Bylaw.

Appliances

7. No Owner or Occupant of a Property shall allow a 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.
8. No Owner or Occupant of a Property shall allow any appliance to remain on the Property such that the appliance is visible to a Person viewing from outside the Property.
9. Notwithstanding Part 2 Section 7 and 8, it shall not be an offence for an Owner or Occupant of a Property to allow a refrigerator on a Property:
 - a. If the refrigerator is not visible to a Person viewing from outside the Property; and
 - b. The refrigerator remains locked at all times with a padlock and key or similar device.

Outdoor Storage of Building Materials

10. No Owner or Occupant of Property shall allow on the Property the accumulation of building 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 relates 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 one-hundred and twenty (120) days.
11. An Owner or Occupant of a Property shall ensure that all Building materials stored on a Property that are not in contravention of Part 2 Section 10 are stacked or stored in an orderly manner.
12. Notwithstanding anything in Part 2, it shall not be an offence to store a small amount of neatly stacked materials on a Property for basic Property maintenance.
13. Notwithstanding anything in Part 2 of this Bylaw nothing shall prohibit a property owner from undertaking naturalization efforts.

PART 3 - NUISANCE

1. A Person shall not cause or permit a Nuisance to exist on Property they Own or Occupy.
2. Conditions constituting a Nuisance include, but are not limited to:
 - a. grass in excess of fifteen (15) centimeters in length, unless the Property is located in Agricultural District "Ag 1" or Agricultural District "Ag 2" as those land use districts are defined in the Land Use Bylaw;
 - b. excessive weeds, including but not limited to noxious and prohibited weeds as defined in the *Weed Control Act*;
 - c. the trees, shrub, other type of vegetation or any structure:
 - i. that interferes or could interfere with any public work or utility;
 - ii. that obstructs any sidewalk adjacent to the Property; or
 - iii. that impairs the visibility required for safe traffic flow;
 - d. damaged, dismantled, or derelict vehicles or equipment or Motor Vehicles, whether insured or registered or not;
 - e. any loose litter, garbage or refuse whether located in a storage area, collection area or elsewhere on the Property;
 - f. Excessive accumulate of material including, but not limited to, building materials, appliances, household goods, boxes, tires, vehicle parts, whether of any apparent value or not;
 - g. smelly or messy compost heaps;
 - h. production of any generally offensive odours;
 - i. production of excessive dust, dirt, smoke, steam, or noxious emissions;
 - j. the presence of Motor Vehicles on any part of a Property other than a designated parking area as prescribed in the Land Use Bylaw, where those Motor Vehicles are not concealed from the view of adjacent Property;
 - k. any accessible excavation, ditch, drain or standing water that could pose a danger to the public;
 - l. an infestation of rodents, vermin, or insects; and
 - m. failing to keep Property in a Reasonable State of Repair, including but not limited to:
 - i. the significant deterioration of buildings, structures or improvements, or portions of buildings, structures, or improvements;
 - ii. broken or missing windows, doors, stairs, landings, balconies, patios, fences, siding, shingles, shutters, eaves, or other building material; and
 - iii. significant fading, chipping, peeling, rotting or absence of paint on areas of buildings, structures, fences, improvements, or signage located on Property;

Drainage and Excavation

3. A Person shall not cause, or permit a flow of water from a hose or similar device on Property they Own or Occupy to be directed towards an adjacent Property if there is a reasonable likelihood that the water from the hose or similar device will enter the adjacent Property in a manner or quantity likely to interfere with the adjacent Property;
4. A Person shall not cause or permit a rainwater downspout or eavestrough on Property they Own or Occupy to be directed towards an adjacent Property if there is a reasonable likelihood that the water from the downspout or eavestrough will enter the adjacent Property;
5. No Owner or Occupant of a Property shall allow an excavation, drain, ditch, or other depression in the ground to become or remain a danger to public safety.

PART 4 – VEHICLES

1. No Person, Owner or Occupant of a Property shall have more than two (2) unregistered or inoperative motor vehicles;
2. The Person, Owner, or Occupant of a Property on parcels less than two (2) acres may store up to a maximum of three (3) boats, and on parcels more than two (2) acres may store up to a maximum of five (5) boats;
3. The Person, Owner, or Occupant of a Property on a parcel 0.8 ha (2.0 acres) or more where a single detached dwelling, a duplex or a mobile home is located, may park or store one (1) gravel truck no larger than dual axle, or one (1) highway tractor unit or similar commercial vehicle. On a Property less than 0.81 ha (2.0 ac) the parking of a gravel truck, highway tractor unit, or similar commercial vehicle is not allowed without development permit approval.
4. The parking or storing of school buses is allowed provided the Person, Owner or Occupant of a Property has an active contract with a school division to transport students:
 - a. On a Property less than 0.81 ha (2.0 acres) one (1) school bus; or
 - b. On a Property more than 0.81 ha (2.0 acres) or more, two (2) school buses.
5. A Person, Owner or Occupant may have more than the allowed number of school buses with Development Permit approval.
6. The Person, Owner, or Occupant of a Property on parcels less than 10 acres shall not be allowed to store boats on vacant parcels unless a valid development permit is in place.
7. Notwithstanding the foregoing, the storage of any number of unregistered and/or inoperative motor vehicles, boats on a parcel which are functionally required as part of a bona fide agricultural use/farming operation occurring on the subject parcel is permissible.

PART 5 – GRAFFITI PREVENTION AND ABATEMENT

1. No Person shall create or apply Graffiti.
2. Every Owner or Occupant of a Property shall ensure that Graffiti placed on their Property is removed, painted over or otherwise permanently blocked from public view.
3. In a prosecution for an offence under this part, if the defendant seeks to rely on the Graffiti being made with the consent of the Owner of the Property, the onus of proving Owner's consent rests with the Person relying on the consent.

PART 6- REGULATION OF COMPOSTING

1. No Owner or Occupant of a Property shall place or allow to be placed any amount of cat feces, dog feces, animal parts or animal meat on a Composting pile or Composting container on the Property.
2. No Owner or Occupant of a Property shall allow an open Composting pile on the Property within ten (10) meters of an adjacent dwelling house, measured from the nearest part of the open Composting pile to the nearest part of the adjacent dwelling house.
3. Every Owner or Occupier who allows a Composting Container or Composting Pile to remain on the Property must ensure that it is maintained in such a manner that it does not create a nuisance by:
 - a. Creating offensive odours; or
 - b. Attracting Nuisance Animals.

PART 7 – REGULATING NOISE

1. This part does not purport to regulate the cumulative effect of noise created by vehicular traffic on roads.

General Prohibitions of Noise

2. Except as authorized pursuant to this Bylaw no Person, Owner or Occupier of a Property shall make, cause, or allow to be made or continue any noise which emanates from the Property and disturbs or annoys a Person including any loud outcry, clamour, shouting, movement, music, or activity.
3. No Person, Owner or Occupant of a Property shall permit a Motor Vehicle located on the Property to emit noise which emanates from that Property and disturbs or annoys a Person, including noise from excessive engine revving and stereo and amplification equipment in the Motor Vehicle.
4. Whether any sound annoys or disturbs a Person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a Court hearing a prosecution pursuant to this section of the Bylaw.
5. No person shall make, continue, cause, or permit to be made or continued any unreasonably loud raucous or unusual sound which annoys, disturbs, injures, endangers or detracts from the comfort repose, or health, peace, or safety of any other person of ordinary sensitivity.
6. Factors for determining noise under Part 7 if a sound is unreasonably loud, annoying, raucous, or unusual, include the following:
 - i) Proximity of the sound to sleeping facilities or accommodations whether residential or commercial;
 - ii) The time of day or night the sound occurs;
 - iii) The duration and volume of the sound; and
 - iv) Whether the sound is recurrent, intermittent, or constant.

Continuous Sound in Residential Districts

7. No person shall make, continue, cause, or permit to be made or continued any unreasonably loud raucous or unusual sound which annoys, disturbs, injures, endangers or detracts from the comfort repose, or health, peace, or safety of any other person of ordinary sensitivity.

Activities in Residential Districts

8. No Person shall operate:
 - a. A hand lawn mower;
 - b. A motorized garden tool;
 - c. A powered tool outside of any building or Structure;
 - d. A snow clearing device powered by an engine of any kind; or
 - e. A motorized snow or leaf blowing device;in a Residential District during the Night-Time.
9. No Person shall load or unload a Truck or Concrete Mixer in a Residential District or within one hundred and fifty (150) meters of a Residential District during Night-Time.
10. Notwithstanding Part 7 Section 9 a Person may, at any time, unload a Motor Vehicle containing:
 - a. Fresh fruit, produce and perishable merchandise including milk, milk products and baked goods; or
 - b. Daily or weekly newspapers being delivered.
11. A Person who owns occupies or controls a Truck must not at any time allow it to remain running for longer than twenty (20) minutes when it is stationary in a Residential District or within one hundred and fifty (150) meters of a Residential District.

Permits

12. A Person may make a written application to the CAO for a temporary permit allowing for noise or Sound Levels that would otherwise violate this Bylaw.
13. Any application made pursuant to Part 7 Section 12 must be made at least five (5) business days prior to the proposed activity for which the exemption is sought and shall contain;
 - a. The name, address, and telephone number of the applicant;
 - b. The legal description, or municipal address of the site;
 - c. The Development Permit (if applicable);
 - d. A description of the source(s) of noise or Sound Levels;
 - e. The period of time that the exemption is desired;
 - f. The applicant's reason(s) why the exemption should be given;
 - g. A statement of the measures that will be taken to minimize the noise or Sound Levels; and
 - h. The signature of the applicant.
14. The CAO may, at his / her sole discretion:
 - a. Waive any requirement of this section;
 - b. Issue a temporary permit, where the CAO determines that the circumstances make it impractical for the applicant to comply with this Bylaw;
 - c. Revoke any temporary permit that has been issued, where the CAO determines that the applicant has not taken sufficient measures to minimize the noise or Sound Levels; or
 - d. Impose any conditions on the issuance or use of the permit that the CAO Considers appropriate.

Scope

15. The provisions contained in Part 7 shall not be interpreted to prevent:
 - a. The ringing of bells in churches, religious establishments, and schools;
 - b. The sounding of any alarm or warning to announce a fire or other emergency;
 - c. The playing of a band in connection with a parade allowed pursuant to any County Bylaw; or
 - d. The use of Signaling Devices on vehicles in the normal operation for the purpose of giving warnings to other vehicles or Persons.

- e. Machines, vehicles, or equipment operating by or on behalf of the County
- f. Agriculture operations and agriculture processing operations on lands greater than 30 acres in size.
- g. Work undertaken for the immediate health, safety, or wellbeing of the inhabitants of the County; or
- h. Normal activities of industry in any Industrial zone as defined within Lac Ste. Anne County.

PART 8 – LIGHTS

- 1. No Owner or Occupant of a Property shall allow an outdoor light to shine directly into the living or sleeping areas of an adjacent dwelling house.
- 2. An outdoor light shall not constitute a violation of Part 8 Section 1 if the Owner or Occupant of the Property shields the light from shining directly in the living or sleeping area of the adjacent dwelling house.
- 3. Where an outdoor light is permitted or required pursuant to the Land Use Bylaw, a development permit or a similar approval, the residential areas and Land Use Bylaw, development permit or similar approval shall take precedence over this Bylaw, and the light shall not constitute a violation of Section 8.1.

PART 9 – ADDRESSING

- 1. The Owner or Occupant of a Property on which a dwelling unit has been erected shall display a municipal address sign at all times at a location plainly visible from the roadway to which the Property is addressed.
- 2. Every person who obtains development permit approval from the development authority or a building permit from the building inspector to permit the construction of a commercial, residential, or industrial development shall be responsible for the erection of the municipal address sign for the development.
- 4. Every person who obtains subdivision approval from the Subdivision Authority for a use other than extensive agriculture shall be responsible for the construction, erection and maintenance of municipal address and directional signs to a standard acceptable to the CAO.

PART 10 – LITTERING

- 1. No person shall dispose of refuse on any Highway or public land unless they dispose of it :
 - a. In a container placed for the purposes of collecting it;
 - b. At a sanitary landfill; or
 - c. Through a County refuse disposal system.
- 2. No Person shall transport refuse in or on a Motor Vehicle or Trailer on a Highway, if the refuse is likely to fall off or blow off the Motor Vehicle or Trailer, unless the refuse being transported is adequately secured to prevent it from falling off or adequately covered to prevent it from blowing off the Motor Vehicle or Trailer.
- 3. If refuse is disposed of from a Motor Vehicle or Trailer and it cannot be determined who the driver of the Motor Vehicle was, the Owner of the Motor Vehicle or Trailer shall be determined to be the Person who disposed of the refuse from the Motor Vehicle or Trailer, unless he proves to the satisfaction of the Court that at the time of the offence the Motor Vehicle was not driven, the Trailer was not being towed or the Motor Vehicle or Trailer was not parked or left by him or by any other Person with his consent, express or implied.
- 4. No Person shall dispose of refuse on any land other than his own unless the Owner or Person in control of the other land agrees to its disposal.

PART 11 – EXERCISE OF DISCRETION

1. Lac Ste. Anne County has the discretion to enforce this bylaw and is not liable of any outcomes should an Officer decide not to enforce this bylaw if acting in good faith.

PART 12 – ENFORCEMENT ORDERS AND APPEAL BOARD

1. Every Order written with respect to this Bylaw must:
 - a. Indicate the Person to whom it is directed;
 - b. Identify the Property to which the Order relates by municipal address or legal description;
 - c. Identify the date it was issued;
 - d. Identify how the Property fails to comply with this or other Bylaws;
 - e. Identify the specific provisions of the Bylaw the Property contravenes;
 - f. Identify the nature of the action required to be taken to bring the Property into compliance;
 - g. Identify the time within which the action must be completed;
 - h. Indicate that if the required action is not completed within the time specified, the County may take whatever action or measures are necessary to remedy the contravention;
 - i. Indicate expenses and costs of any action or measures taken by the County under this section are an amount owing to the County by the Person to whom the Order is directed;
 - j. Indicate the expenses and costs referred to in this section may be attached to the tax roll of the Property if such costs are not paid by a specified time; and
 - k. Indicate that an appeal lies from the Order to the Enforcement Review Board if a Notice of Appeal is filed in writing with the CAO within fourteen days of the receipt of the Order.

2. An Order written pursuant to this Bylaw will be deemed to have been served on the Owner or Occupant when the Order has been:
 - a. Personally delivered to the Owner or Occupant;
 - b. Left for the Owner or Occupant at his or her residence with a Person on the premises who appears to be at least eighteen years of age;
 - c. Sent via registered mail addressed to the last known postal address of the Owner or Occupant; or
 - d. Posted in a conspicuous place on the Property referred to on the Order, when the Enforcement Officer has reason to believe:
 - i. That the Owner or Occupant to whom the Order is addressed is evading service;
or
 - ii. No other means of service is available.

 - e. If an Order is sent via registered mail as referred to in Part 12 Section 2.c, it is deemed received by the Owner or Occupant five (5) days after the Order was mailed.

3. Every Person who fails to comply with an Order issued pursuant to this Bylaw within the time set out in the Order commits an offence.

Enforcement Review Board

4. All appeals relating to Orders from this Bylaw shall be reviewed by the Enforcement Review Board.

Appeal of Orders

5. A Person to whom an Order is directed may seek a review of the Order by filing an appeal in writing with the CAO in a manner acceptable to CAO within fourteen days of the receipt of the Order.
6. The written appeal must be accompanied by the non-refundable fee, as set out in the Lac Ste Anne Fees and Charges Bylaw.
7. An appeal filed pursuant to this section must state the name of the appellant, the municipal address of the Property to which the Order being appealed from relates, a daytime telephone contact number at which the appellant may be reached and an address at which documents in relation to the appeal may be delivered.
8. A decision of the Enforcement Review Board will be delivered in writing, as a decision served pursuant to Section 548 of the *Municipal Government Act*.

PART 13 – ENFORCEMENT

General Penalty Provision

1. A Person who contravenes this Bylaw by:
 - a. Doing any act or thing which the Person is prohibited from doing; or
 - b. Failing to do any act or thing the Person is required to do; is guilty of an offence.
2. Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00) and in default of payment of any fine imposed to a period of imprisonment not exceeding six (6) months.

Violation Tickets and Penalties

3. Where an Enforcement Officer believes that a Person has contravened any provision of this Bylaw, the Enforcement Officer may commence proceedings against the Person by issuing a violation ticket pursuant to the *Provincial Offences Procedures Act RSA 2000, c P-24*.
4. Where there is a specified penalty listed for an offence in Schedule “A” to this Bylaw, that amount is the specified penalty for the offence.
5. Where there is a minimum penalty listed for an offence in Schedule “A” to this Bylaw, that amount is the minimum penalty for the offence.
6. Notwithstanding specified and minimum penalties set out in Schedule “A” to this Bylaw:
 - a. If a Person is convicted twice of the same provision of this Bylaw within a twenty-four (24) month period, the minimum penalty for the second conviction shall be twice the amount of the specified penalty for a first offence; and
 - b. If a Person is convicted three or more times of the same provision of this Bylaw within a twenty-four (24) month period for the third and subsequent convictions shall be triple the amount of the minimum penalty for a first offence.
7. This section does not prevent any Enforcement Officer from issuing a violation ticket requiring a Court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act, RSA 2000 c. P-24* or from laying an Information in lieu of a violation ticket.
8. The levying and payment of any fine or the imprisonment of any period provided in this

Bylaw shall not relieve a Person from the necessity of paying any fees, charges, or costs from which that Person is liable under the provisions of this Bylaw or any other Bylaw.

9. The County is not required to enforce this Bylaw;
 - a. In deciding whether to enforce this Bylaw, the County may take into account any practical concerns including available municipal budget and Personnel resources.

PART 14 – SEVERABILITY

1. If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions.

PART 15 – TRANSITION

1. This Bylaw shall come into *force* and effect upon final passing and signing, thereof.
2. Upon this Bylaw coming into force Bylaw 25-2013 and Bylaw 28-2015 are hereby rescinded.

FIRST READING THE 30TH DAY OF MARCH 2023



County Manager

Reeve

The image shows two handwritten signatures in blue ink. The top signature is for the County Manager, and the bottom signature is for the Reeve. Both signatures are written over horizontal lines. A faint circular seal of the County of Medicine Hat is visible in the background.

SECOND READING THE 17TH DAY OF AUGUST. 2023



County Manager

Reeve

The image shows two handwritten signatures in blue ink. The top signature is for the County Manager, and the bottom signature is for the Reeve. Both signatures are written over horizontal lines. A faint circular seal of the County of Medicine Hat is visible in the background.

THIRD AND FINAL READING THE 15TH DAY OF DECEMBER 2023



County Manager

Reeve

The image shows two handwritten signatures in blue ink. The top signature is for the County Manager, and the bottom signature is for the Reeve. Both signatures are written over horizontal lines. A faint circular seal of the County of Medicine Hat is visible in the background.

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SCHEDULE "A"

SPECIFIED AND MINIMUM PENALTIES

Section	Offence	Minimum Penalty	Specified Penalty
2.2.a	Accumulation of Offensive Material-Unpleasant Odours	\$100.00	\$200.00
2.2.b	Accumulation of Animal Parts/Remains/Feces	\$250.00	\$500.00
2.5	Exposed Storage of Industrial Fluid/Engine Oil/Brake Fluid/Antifreeze	\$250.00	\$500.00
2.6	Accumulation of Material form off Property	\$250.00	\$500.00
2.7	Improper Storage of Appliances	\$150.00	\$300.00
2.8	Store Appliances Visible from Outside Property	\$150.00	\$300.00
2.10- 2.13	Outdoor Storage Building Materials	\$150.00	\$300.00
3.1	Causing or Permitting a Nuisance	\$700.00	\$1000.00
3.3	Causing a Drainage Nuisance	\$250.00	\$500.00
3.4	Redirecting Rainwater	\$250.00	\$500.00
3.5	Dangerous or Nuisance Excavation/drain/ditch	\$750.00	\$1000.00
4.1	Improper Storage of Recreational Vehicles/Boats	\$250.00	\$500.00
4.2/4.6	Improper Storage of School bus	\$250.00	\$500.00
5.1	Create or Apply Graffiti	\$2500.00	\$5000.00
5.2	Fail to Remove Graffiti	\$100.00	\$200.00
6.1	Feces in Compost	\$150.00	\$300.00
6.2	Open Compost within 10 Metres of Adjacent Dwelling	\$150.00	\$300.00
6.3.a or b.	Compost Offensive Odour/Attract Nuisance Animals	\$250.00	\$500.00
7.2	Person/Owner/Occupant Cause/Create Noise/Disturb/Annoy	\$150.00	\$300.00
7.3	Noise from Motor Vehicle on Properties	\$150.00	\$300.00
7.7	Continuous Noise in Residential District	\$250.00	\$500.00