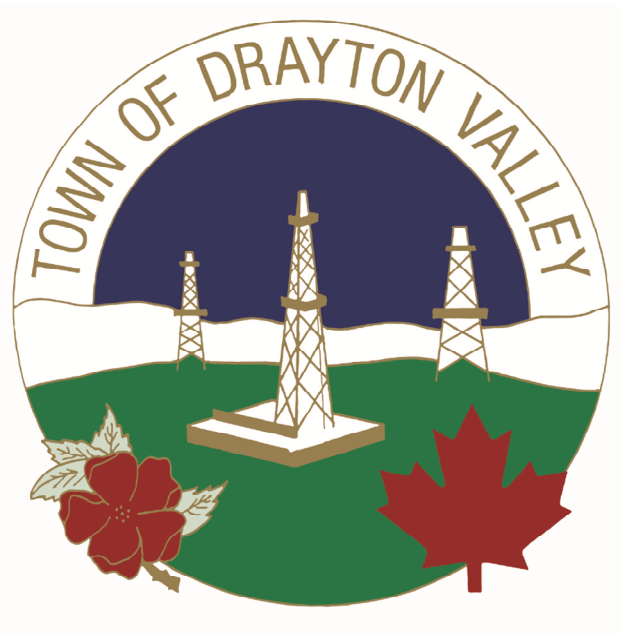

TOWN OF DRAYTON VALLEY COMMUNITY STANDARDS BYLAW 2022/06/P

Consolidated on February 7, 2024



TOWN OF DRAYTON VALLEY



BYLAW NO. 2022/06/P

Name of Bylaw: Community Standards Bylaw

WHEREAS Section 7 of the *Municipal Government Act*, authorizes a Council to pass bylaw's respecting:

- i. the safety, health, and welfare of people and the protection of people and property;
- ii. people, activities, and things in, on, or near a public place or place that is open to the public;
- iii. nuisances, including unsightly properties; and
- iv. the enforcement of bylaws made under the *Municipal Government Act* or any other enactment; including the creation of offences, imposing of fines or imprisonment, providing for inspections to determine if bylaws are being complied with, and remedying of contraventions of bylaws.

AND WHEREAS Section 8 of the *Municipal Government Act*, authorizes a Council to pass bylaws respecting:

- i. a provision for a system of permits or approvals, including:
 - a. establishing fees for permits and approvals;
 - b. prohibiting any activity or thing until a permit or approval has been granted;
 - c. providing that terms and conditions may be imposed on any permit or approval, the nature of the terms and conditions and who may impose them;
 - d. setting out the conditions that must be met before a permit or approval is granted or renewed, the nature of the conditions and who may impose them;
 - e. providing for the duration of permits and approvals and their suspension or cancellation for failure to comply with a term or condition;
 - f. provide for an appeal, the body that is to decide the appeal and related matters.

AND WHEREAS Section 66(2) of the *Safety Codes Act*, authorizes a Council to pass bylaws respecting:

- i. minimum maintenance standards for buildings and structures; and
- ii. unsightly or derelict buildings or structures;

AND WHEREAS the *Agricultural Pests Act* allows a municipality to make certain bylaws and appoint inspectors;

AND WHEREAS the *Weed Control Act* allows a municipality to make certain bylaws and appoint inspectors;

NOW THEREFORE the Council of the Town of Drayton Valley, duly assembled, hereby enacts as follows:

PART 1 – TITLE, PURPOSE, AND DEFINITIONS

TITLE

1. This Bylaw may be cited as the “Community Standards Bylaw” of the Town of Drayton Valley.

PURPOSE

2. The purpose of this Bylaw is to:
 - 2.1. Regulate the conduct and activities of people on privately owned property, immediately adjacent areas, and public property in order to promote the safe, enjoyable and reasonable use of such property for the benefit of all citizens of Drayton Valley;
 - 2.2. Manage the maintenance of unsightly and nuisance properties within Drayton Valley;
 - 2.3. Control and abate noise in Drayton Valley;
 - 2.4. Ensure effectiveness of emergency services and reduce response to false alarms;

DEFINITIONS

3. In this bylaw, including in this section, unless context otherwise requires:
 - 3.1. “Accumulation” means the acquisition or gradual gathering of something, typically something negative and typically leading to a problem.
 - 3.2. “Boulevard” means the same as defined in the *Traffic Safety Act*.
 - 3.3. “Campground” means a specified area designated by the municipality for camping.
 - 3.4. “Chief Administrative Officer (CAO)” means the Chief Administrative Officer (CAO) of Drayton Valley, Alberta, or an employee of the municipality as designated by the Chief Administrative Officer.
 - 3.5. “Council” means the duly elected officials of the Town of Drayton Valley.
 - 3.6. “Drayton Valley” means the Town of Drayton Valley in the Province of Alberta.
 - 3.7. “Graffiti” means unwanted or unapproved words, figures, letter or drawings scribed, scratched, sprayed or applied by any other means on a surface on which they are placed.
 - 3.8. “Highway” means the same as defined in the *Traffic Safety Act*.
 - 3.9. “Municipality” means the Town of Drayton Valley.

- 3.10. “Motor Vehicle” means the same as defined in the *Traffic Safety Act*.
- 3.11. “Occupant” means a person occupying a property or the person with a Rental Agreement, Lease, or permission to use the property.
- 3.12. “Owner” means a person who is registered under the *Land Titles Act* as the owner of a parcel of land, or the person who is registered under the *Traffic Safety Act* as the registered owner of a motor vehicle.
- 3.13. “Peace Officer” means a Peace Officer appointed as such by the ministry of Justice and Solicitor General, a Bylaw Enforcement Officer appointed by the municipality, a designated officer as defined by the *Municipal Government Act*, or a member of the Royal Canadian Mounted Police.
- 3.14. “Permit” means a written permit issued pursuant to this bylaw.
- 3.15. “Person” includes any individual, firm, partnership, association, corporation, trustee, executor, administrator, or other legal representative.
- 3.16. “Property” includes any lands, buildings, boulevards adjacent to the premises in Drayton Valley, or in other cases, personal property.
- 3.17. “Public Place” means any place to which the public may have either express or implied access.
- 3.18. “Recreational Vehicle” means a vehicle, trailer, watercraft, or off-road vehicle that is utilized for recreational or work purposes and includes but is not limited to: any motorhome; travel trailer; tent trailer; watercraft and trailer; fifth wheel trailer; a camper when it is not mounted on a truck, but placed on the ground; utility trailer or any similar vehicles, or any other vehicles as determined by a Peace Officer to be considered for recreation or work purposes.
- 3.19. “Refuse” means any item specifically addressed in this bylaw and junk articles including but not limited to solid wastes, including woods, metals, tires, broken dishes, tins, glass, rags, cast-off clothing, wastepaper, cardboard, food containers, food wrappers, grass cuttings, shrubbery and tree pruning’s, weeds and garden waste, leaves, abandoned vehicles, residential furnishings, household appliances, animal feces, garbage bags and all other discarded materials.
- 3.20. “Sidewalk” means the same as defined in the *Traffic Safety Act*.
- 3.21. “Violation Tag” means a ticket or similar document issued by a Peace Officer pursuant to the *Municipal Government Act*.

- 3.22. "Violation Ticket" means a ticket issued by a Peace Officer in accordance with the *Provincial Offences Procedures Act*.

PART 2 – PROPERTY MAINTENANCE

DEFINITIONS

4. In this part,
- 4.1. "Agriculture" means a use where agricultural activities occur such as cultivating soil, producing crops and raising livestock or poultry, and in varying degrees the preparation and marketing of the resulting products. Not including Cannabis Processing.
- 4.2. "Building Material" means any construction material which may result from the construction, renovation or demolition of any structures and includes, but is not limited to wood, gypsum, board, vinyl siding, metal, brick, packing material and containers of construction material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation, or demolition of any structure.
- 4.3. "Construction Equipment" includes but is not limited to a riveting machine, concrete mixer, gravel crusher, gravel hauler, 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 of a noisy nature.
- 4.4. "Nuisance" means that due to its condition, is detrimental to the use and enjoyment of others, or may not be pleasing to the sight.
- 4.5. "Reasonable State of Repair" means the condition of being:
- 4.5.1. Structurally sound;
 - 4.5.2. Free from damage;
 - 4.5.3. Free from rot or other deterioration;
 - 4.5.4. Protected by paint preservative or other weather resistant material;
 - and
 - 4.5.5. Safe for its intended use.
- 4.6. "Structure" means but is not limited to a building (including a dwelling, garage, play structure, shed, greenhouse and includes anything constructed or placed on, in, or over or under land), fence, sign, retaining wall, scaffolding, portable shack, or other similar types of construction.

VEGETATION

5. The owner or occupant of a property shall:

- 5.1. Ensure all grass or other similar vegetation does not exceed 15 cm (6”) in height on the property or adjacent boulevards, including lanes or alleys at the side or rear of the property;
 - 5.1.1. Notwithstanding the above section, this does not apply to areas that are zoned under the Land Use Bylaw as Urban Reserve District, being used for agricultural purposes.
- 5.2. Ensure any grass or other similar vegetation that encroaches onto a public sidewalk is removed;
- 5.3. Destroy or control any prohibited or noxious weed pursuant to the *Weed Control Act*, or regulations, or carry out other measures as prescribed by a Peace Officer or Weed Inspector pursuant to the *Weed Control Act*,
(S.2.1, Bylaw 2023-01-P, July 26, 2023)
- 5.4. Remove and or replace any grass, shrubs, vegetation, or trees that are dead or diseased;
- 5.5. Remove or prune any trees or shrubs that due to a deterioration or condition could cause a public safety hazard, including interfering with lines, poles, conduits, signs, pipes, sewers, fire hydrants, or other works of the Municipality on their property;
- 5.6. Remove or prune any shrub or tree which is or could be a nuisance to any person using a publicly owned or maintained sidewalk or street;
- 5.7. Remove or prune any shrub or tree which overhang the highway or sidewalk so that no branches or other organic material encroach within two metres above the highway or sidewalk;
- 5.8. Not plant or grow any tree, shrub or vegetation that interferes or could reasonably interfere with an intersection or traffic flow adjacent to the property;
- 5.9. Not remove or prune trees or shrubs that are the responsibility of the municipality;
6. No person shall plant trees or shrubs on boulevards or other municipal property.
 - 6.1. At the sole cost of the person, Drayton Valley may remove any unauthorized trees or shrubs, or require the person to undertake their removal.

SNOW, ICE, DIRT AND DEBRIS

7. The owner or occupant of a property shall:

7.1. Maintain any sidewalk adjacent to the property they own or occupy clear of all snow, ice, dirt, weeds, leaves and other obstructions within 48 hours of the time that such snow, ice, dirt, weeds, leaves, or other obstruction was deposited.

7.2. Maintain any roof or awning that extends over a highway or sidewalk free of snow and ice.

7.3. Prevent any obstacles or obstructions, such as electrical extensions cords from extending across sidewalks unless mitigation steps satisfactory to the peace officer are taken to limit the hazard or danger to the public.

8. No person, owner or occupant of a property shall:

8.1. Remove snow, ice, dirt, weeds, leaves, rocks and other obstructions from a sidewalk or their property and cause the snow, ice, dirt, weeds, leaves, rocks, and other obstructions to be placed upon any portion of the highway, municipal property, property the town maintains (including ditches), or other property, other than their own.

8.2. Snow and ice from sidewalks may be placed upon a highway or boulevard should there be no other options available.

9. Sections 7.1 and 8 do not apply to properties owned and operated by the Town of Drayton Valley.

STRUCTURES

10. The owner or occupant of a property shall ensure structures and their structural membrane are maintained in a Reasonable State of Repair. This includes, but is not limited to:

- 10.1. Foundations and foundation walls;
- 10.2. Exterior walls and their components including finishing material and paint;
- 10.3. Roofs and façade;
- 10.4. Windows, including frames, shutters and awnings;
- 10.5. Doors, including frames and awnings;
- 10.6. Eaves or other building materials'
- 10.7. Exterior stairs, landings, porches, balconies, patios, signage, play structures, decks, and other similar structures;
- 10.8. Finishings, including paint;
- 10.9. Skirting.

11. The owner or occupant of a property shall ensure fences are maintained in a Reasonable State of Repair.

12. If a structure normally intended for human habitation is unoccupied, then any door or window opening in the structure may be covered by the owner with a solid piece of material but only if the material is:

- 12.1. Installed from the exterior and fitted within the frame of the opening in a watertight manner;
- 12.2. If thickness sufficient to prevent unauthorized entry into the structure; and
- 12.3. The same or similar in colour to the rest of the structure.

13. The owner of an unoccupied building must keep it reasonably secure against unauthorized entry or occupation, vandalism, or other intentional damage.

14. The owner or occupant of a structure that has been deemed unfit for human habitation by an Executive Officer of Alberta Health Services, or deemed an unsafe condition by a Safety Codes Officer, and any owner of lands on which such structure is located, must ensure that the structure either be fully repaired so that it is fit for human habitation as determined by an Executive Officer of Alberta Health Services, or deemed safe by a Safety Codes Officer, or demolished and all material removed and properly disposed of, within two years from the date the building was deemed unfit by an Executive Officer of Alberta Health Services or unsafe by a Safety Codes Officer.

(S.2.1, Bylaw 2023-02-P, February 7, 2024)

14.1. The owner or occupant of a structure previously deemed unfit for human habitation by an Executive Officer of Alberta Health Services or previously deemed to be in an unsafe condition by a Safety Codes Officer as of June 29, 2022, and any owner of lands on which such structure is located, must ensure that the structure either be fully repaired so that it is fit for human habitation as determined by an Executive Officer of Alberta Health Services or deemed safe by a Safety Codes Officer, or demolished and all materials removed and properly disposed of, no later than November 30, 2024.

(S.2.2, Bylaw 2023-02-P, February 7, 2024)

14.1.1. Should any extensions be requested under this section, council will be the only authorized body to grant an extension by resolution in council.

CONSTRUCTION ON PROPERTY

15. The owner or occupant of a property under construction, shall:

- 15.1. Ensure that the property has a waste container throughout the duration of the construction that is placed on the property;
- 15.2. Ensure all waste building materials or debris are fully contained and secured in the waste container;
- 15.3. Ensure the waste container is not placed or stored on the street or sidewalk;
- 15.4. Ensure all building materials that are on the property are stacked or stored in an orderly manner;
- 15.5. Ensure all building materials are not placed or stored on the street, sidewalk, or any premises or property owned by the municipality or the landowner without written permission to do so;

- 15.6. Ensure no excavation occurs on the property unless the said excavation is properly secured by fencing or otherwise permitted pursuant to Drayton Valley's Land Use Bylaw.

GENERAL PROPERTY MAINTENANCE

16. The owner or occupant of a property, shall:
 - 16.1. Not allow the property to be a nuisance;
 - 16.2. Not engage in any activity that results in the production of offensive odours, excessive dust or heavy smoke, or similar condition which represents a nuisance to others in the area;
 - 16.3. Ensure that graffiti placed on their property is removed, painted over, or otherwise permanently blocked from the public view, within 72 hours of it being deposited, weather permitting;
 - 16.4. Not have a refrigerator, freezer, or other similar appliance outside of a building unless it is on the rear of the property in working condition and effective measures have been taken to prevent the free opening and closing of the appliances;
 - 16.5. Ensure there is no standing or stagnant water;
 - 16.6. Ensure no excavation occurs on the property unless the said excavation is properly secured by fencing or otherwise permitted pursuant to Drayton Valley's Land Use Bylaw;
 - 16.7. Not allow an open composting pile on the premises, located within three metres of an adjacent dwelling house, measured from the nearest part of the open composting pile to the nearest part of the adjacent dwelling house;
 - 16.8. Not place or allow to be placed any cat feces, dog feces, animal parts or animal meat on a composting pile or in a composting container on the property;
 - 16.9. Ensure that motor vehicle fluids, oils, gasoline products and other hazardous materials are properly stored and disposed of and not swept or washed onto the highway, sidewalk, or storm sewers.

Refuse and Materials

17. The owner or occupant of a property, shall:
 - 17.1. Not allow any accumulation of refuse on the property;
 - 17.2. Not allow the accumulation of anything that creates unpleasant odours;
 - 17.3. Ensure loose refuse or debris are collected and contained on the property so that they do not escape onto adjacent properties;
 - 17.4. Not allow the accumulation of hazardous materials;
 - 17.5. Not have an open or exposed storage on the property of any industrial fluid, including engine oil, brake fluid or anti-freeze;
 - 17.6. Not allow the accumulation of machine or automotive parts or miscellaneous pieces of equipment unless an approved business licence has been issued for the property.

Pests and Animals

18. The owner or occupant of a property, shall:
 - 18.1. Not allow any pests as defined in the *Agricultural Pests Act* and *Agricultural Pest Regulation* on their property;
 - 18.2. Not allow the accumulation of any material likely to attract animals, pests, or wildlife, excluding birdseed;
 - 18.3. Not allow the accumulation of animal remains or parts of animal remains.

Water and Eavestroughs

19. The owner or occupant of a property, shall:
 - 19.1. Not allow the flow of water from a hose or similar device on the property to be directed towards an adjacent property if it is likely that the water from the hose or similar device will enter the adjacent property;
 - 19.2. Direct any rainwater downspouts or eavestroughs on the property toward the front or rear of the property or a side yard which does not abut another property;
 - 19.3. Not allow the flow of water from a hose or similar device, downspout, or eavestrough to be directed over/onto a public sidewalk or highway;
 - 19.4. Not allow sump pumps to extend on the property more than reasonably practicable to allow for drainage away from the structure to occur;
 - 19.4.1. Sump pumps shall not be extended to the property line to allow for drainage onto an adjacent property or onto a public sidewalk or highway;
 - 19.5. Obey all water use instructions from the municipality.

PART 3 – VEHICLES AND TRAILERS

DEFINITIONS

20. In this part;
 - 20.1. “Hard-surfaced area” means an area normally intended for parking vehicles or trailers on private property, such as a driveway, often connecting a house or garage with a public road and must be constructed of asphalt, concrete, gravel, or similar material. This does not include cement blocks, or similar.
 - 20.2. “Junked Vehicle” means a vehicle that:
 - 20.2.1. Is in a wrecked, partly wrecked, dismantled, partly dismantled, inoperative, or abandoned condition, or is determined too not be roadworthy.

General

21. The owner or occupant of a property shall not:
 - 21.1. Have more than one junked vehicle on any part of a property;
 - 21.1.1.1. This does not apply to:
 - 21.1.1.1.1. Junked vehicles located on a property that has a valid business development permit or business licence for purposes related to the repair or storage of vehicle(s), or

- 21.1.2. Junked vehicles that are located wholly in an enclosed structure
- 21.2. Allow an accumulation of vehicle parts or equipment;
- 21.3. Allow a recreation vehicle to extend onto the roadway or over a sidewalk including the use of slide outs;
- 21.4. Park any motor vehicles, recreation vehicles or such other vehicles and trailers which are similar to the foregoing, unless the vehicles or trailers are located wholly within a hard-surfaced parking area;
- 21.5. Keep on residential property, any heavy vehicle of a gross vehicle weight (GVW) in excess of 7,500kg (16,500 lbs) for longer than is reasonably necessary to load or unload the vehicle.
- 22. The owner or occupant of a property that is a salvage yard, auto wrecker or other similar businesses, which by their nature, appear to be a nuisance, shall ensure the property is obscured by approved screening from visibility by adjacent properties.
 - 22.1. No person shall park a vehicle or trailer on municipal parkland as defined in section 37.1
(S.2.3, Bylaw 2023-01-P, July 26, 2023)

PART 4 – PUBLIC BEHAVIOUR

DEFINITIONS

23. In this part;

- 23.1. “Indecent Act” means nakedness, sexual or lewd activity in public.
- 23.2. “Litter” means to throw, place, dump, or deposit refuse on any private or public land within the municipality.
- 23.3. “Loiter” means to linger aimlessly or stand idly in or about a place or area.
- 23.4. “Projectile” means any physical article capable of being launched or propelled including but not limited to firearms, stones, rockets, golf balls and arrows.
- 23.5. “Public Facility” means any property owned, controlled, or maintained by the municipality that is intended to be used by members of the public for recreation and includes but is not limited to hockey arenas, curling rinks, skateboard parks, museums or similar.
- 23.6. “Public Nuisance” means an act or omission that obstructs, damages, injures or inconveniences the rights of others.
- 23.7. “Wildlife” means any non-domesticated animal, or an animal that is wild by nature.

24. No person shall do the following:

- 24.1. Litter;

- 24.2. Loiter;
- 24.3. Cause a public nuisance;
- 24.4. Create or apply graffiti;
- 24.5. Participate or engage in a fight or other similar confrontation in a public place;
- 24.6. Urinate or defecate in public except in a facility designated and intended for such use;
- 24.7. Perform indecent acts in a public place;
- 24.8. Deposit flyers, posters, pamphlets, or any other material containing printed or written matter, whether advertising or not, on any motor vehicle, or at any premises where there is clear indication that the materials are not wanted;
- 24.9. Deposit or place, on a highway, public place, street furniture, or utility device, any flyers, posters, pamphlets, or any other material printed or written matter, whether advertising or not;
 - 24.9.1. A garage sale sign, or similar, shall not constitute a violation of this subsection if it is posted on a boulevard or garage sale sign in accordance with other municipal bylaws.
- 24.10. Vandalize or damage any municipal property; including but not limited to; any facilities, parks, bathrooms, vegetation, trees, or other property;
- 24.11. Remove municipal property from its intended location;
- 24.12. Place, pile, or store any material or equipment on municipal property;
- 24.13. Place, pile, or store any material or equipment on another person's property without proper permission;
- 24.14. Damage or destroy any wildlife habitat on public property;
- 24.15. Feed, attempt to feed, or permit the feeding of, either directly or indirectly, any deer, moose, coyote, fox, or skunk;
- 24.16. Scavenge from or disturb any material, bag, or box in or at a charity collection site, whether or not that material, bag, or box is contained in a receptacle or resting upon the ground;
- 24.17. Disobey a directive sign placed at a public facility;
- 24.18. Disobey a directive sign placed at a campground owned by the municipality;
- 24.19. Obstruct the free use or enjoyment of a person using a public facility;
- 24.20. Obstruct, hinder, or interfere with a peace officer in the exercise or performance of the Peace Officer's duties.

Projectiles

- 25. No person shall do the following:
 - 25.1. Cause or permit a projectile, or act in any other way, in a public place that is reasonably likely to cause injury to another person or damage property;
 - 25.2. Cause or permit a projectile, or act in any other way, on private property, unless a facility on the property is designed for its purpose.

Enjoyment of Property

- 26. No person, owner, or occupant, shall do the following:

- 26.1. Cause a Closed-Circuit Television (CCTV) or Security Camera System or other similar video surveillance or recording device, to livestream, film, or record inside another person's dwelling or otherwise impede or interfere with another's property.
- 26.2. Point or shine direct lighting into the living or sleeping areas of another person's dwelling house;
 - 26.2.1. A light shall not constitute a violation of this subsection if the person, owner, or occupant of the property shields the light from pointing or shining directly at the living or sleeping areas of the adjacent dwelling house.

PART 5 – OVERNIGHT SHELTER

DEFINITIONS

27. In this part:

- 27.1. "Accessory Building" means a building separate and subordinate to the main building, the use of which is incidental to that main building, and is located on the same lot, including but is not limited to: garages, carports, sheds, and storage buildings;
- 27.2. "Overnight Shelter" means a structure, improvement, or overhead shelter, including a tent, lean-to, or other form of shelter constructed from a tarpaulin, plastic, cardboard, brush, logs, branches, or other rigid or non-rigid materials which is intended to provide temporary human habitation, shelter, or housing, overnight;
- 27.3. "Residential District" means a district described as such in the municipalities Land Use Bylaw;

General

28. No person shall place or use an overnight shelter, except in the following areas:
 - 28.1. An area designated a campground by the municipality;
 - 28.2. An area designated for overnight shelters by the municipality;
 - 28.3. An area designated as a Residential District, if the overnight shelter is in a backyard or side yard, if the yard is fenced;
 - 28.3.1. This section only applies for a period not longer than seven cumulative days within one calendar year.
29. No person, owner, or occupant shall use or permit the use an accessory building for human habitation or as a residence;
30. No person, owner, or occupant shall use or permit the use of recreational vehicles for human habitation or as a residence for a period longer than seven cumulative days within one calendar year, unless in an area designated a campground by the municipality.

PART 6 – NOISE

DEFINITIONS

31. In this part;

31.1. "Commercial District" means a district described as such in the municipalities Land Use Bylaw;

31.2. "Industrial District" means a district described as such in the municipalities Land Use Bylaw;

31.3. "Operator" means a person who is driving or operating a vehicle or equipment;

31.4. "Quiet Hours" means the time after 11:00pm and before 07:00am the following day, seven days a week;

31.5. "Residential District" means a district described as such in the municipalities Land Use Bylaw.

General

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

32.1. Factors for determining if a sound is unreasonably loud, raucous, or unusual may include the following:

32.1.1. Proximity of the sound to sleeping facilities or accommodations, whether residential or commercial;

32.1.2. The time of day or night the sound occurs;

32.1.3. The duration and volume of the sound; and

32.1.4. Whether the sound is recurrent, intermittent, or constant.

33. No person shall carry on, or permit to be carried on, in a Residential District during quiet hours, any construction, repair, alteration, or demolition work such that sounds produced therefrom, including those produced by hammering, sawing, drilling and the use of any power tools or construction equipment, may be heard beyond the property line or boundary of the site upon which the activity is being carried out.

34. No person shall operate or permit to be operated during quiet hours, any power lawn equipment, power garden maintenance equipment, or power snow-clearing equipment.

Industrial Noise

35. No person, owner or occupant in an industrial area shall cause or permit excessive noise;

- 35.1. Notwithstanding any other provisions of this part, and whether the noise resulting therefrom may be heard in an adjoining area which is designated other than as an industrial district, nothing in this part shall prevent the operation or carrying on of an industrial activity at any time during the day or night in an industrial district where the activity is one which:
- 35.1.1. Is permitted use in the district in which it is carried on or is a discretionary use for which the required permission has been obtained;
 - 35.1.2. Is a non-conforming use as the same as defined in the Land Use Bylaw for the district in which the use is being carried on; or
 - 35.1.3. In the operation or carrying on of an industrial activity in a district which would be curtailed or restricted, the person operating or carrying on that industrial activity shall make no more noise than is necessary in the normal method of performing or carrying on of that activity.

Specific Exemptions

36. The restrictions in Part 6 of this Bylaw, do not apply to:
- 36.1. A person operating an emergency vehicle in the normal course of that person's employment;
 - 36.2. A person acting in the normal course of that person's employment, or contract, as an employee or agent, of the municipality;
 - 36.3. The normal operation of a bell or buzzer of a school building or religious establishment;
 - 36.4. A person engaged in snow removal or street sweeping in Commercial Districts or Industrial Districts as defined in the Land Use Bylaw; and
 - 36.5. Permitted fireworks or outdoor concerts/events.

PART 7 – PARKLAND

DEFINITIONS

37. In this part;
- 37.1. "Parkland" means any property, whether developed or not, owned, controlled, or maintained by the municipality that is:
 - 37.1.1. Intended to be used by members of the public for recreation and general enjoyment including the trail system and pathways;
 - 37.1.2. Preserved as a natural area;
 - 37.1.3. Zoned or designated as a park/playground; or
 - 37.1.4. Designated as a municipal reserve, environmental reserve, school reserve, or a public utility lot pursuant to the *Municipal Government Act*.
 - 37.2. "Storm Water Pond" means an area designated to temporarily store excess flow in a drainage system.
38. No person shall do the following, in a parkland:
- 38.1. Obstruct the free use or enjoyment of a person using the parkland;

- 38.2. Disobey a directive sign placed for the use of parkland or storm water ponds;
- 38.3. Enter, be in, or leave a motor vehicle or trailer in any parkland between the hours of 11:00pm and 05:00am; or at any time when an area of parkland is closed.
(S.2.2, Bylaw 2023-01-P, July 26, 2023)
- 38.3.1. The CAO or Council may temporarily close an area of parkland to public use, including for Town sanctioned events, and where so ordered, a sign shall be posted to that effect.
- 38.3.2. No person shall be in violation of this section if they are attending a function or event approved by the CAO, or, are using the highway or sidewalk as a thoroughfare to access a location outside of a park.
- 38.4. Offer for sale, make available, or sell any goods or service in any parkland.

PART 8 – FALSE ALARMS

DEFINITIONS

39. In this part;

- 39.1. “False Alarm” means any notification to any emergency service, including but not limited to the fire service, the ambulance service, the Royal Canadian Mounted Police, community peace officers, bylaw enforcement officers, emergency dispatch services, and any other law enforcement services, respecting the existence of a condition, circumstance or event containing an imminent danger to persons or property, where no such condition, circumstance or event exists.

GENERAL

40. No person, owner or occupant shall cause or allow the issuing of a false alarm due to or resulting from faulty, damaged, malfunctioning alarm equipment, or a private alarm company.
41. No person, owner or occupant shall, by the use of alarm equipment or by any other means of notification, make or cause to be made any false alarms.

PART 9 – PERMITS

42. A person may make written application to the CAO, or designate, and pay any prescribed fees, for a permit allowing for activities that would otherwise violate part 2 through 8 of this Bylaw. An application for a permit does not necessarily mean that a permit will be issued. There may be further policies or procedures in place restricting the issuance of permits under this bylaw.

43. A person to whom a permit has been issued pursuant to this bylaw, and any person carrying out an activity otherwise regulated, restricted, or prohibited by this bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.

44. A person shall not make or provide any false or misleading statements or information to obtain a permit pursuant to this bylaw.

45. If any terms or conditions of a permit issued pursuant to this bylaw is contravened or if a false or misleading statement or information was provided to obtain the permit, the permit may immediately be suspended or revoked.

46. The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted, or permitted by this bylaw is on the person alleging the exitance of such a permit on a balance of probabilities. If a permit was issued, the permit must be produced upon demand of a Peace Officer by any person that is acting under the permit.

47. Any written application pursuant to this section, must be made within the timeline set and be in a form approved by the CAO.

PART 10 – POWERS OF THE CHIEF ADMINISTRATIVE OFFICER

48. The CAO may:

48.1. Delegate any powers, duties, or functions contained in this bylaw to any employee of the municipality, including the option to further delegate those powers, duties, or functions;

48.2. Establish investigation and enforcement procedures with respect to property and such procedures may differ depending on the type of property in question;

48.3. Establish forms for the purpose of this bylaw;

48.4. Issue permits with such terms and conditions as are deemed appropriate in accordance with the bylaw;

48.5. Establish the criteria to be met for a permit to be issued pursuant to this bylaw;

48.6. Cause the expenses and costs incurred by the municipality associated in the enforcement of this bylaw and orders to be collected as a civil debt or added to the tax roll for the property pursuant to the *Municipal Government Act*.

PART 11 – POWERS OF PEACE OFFICERS

49. Without restricting any other power, duty or function granted by this bylaw, a Peace Officer may:

- 49.1. Carry out any inspection to determine compliance with this bylaw, including entering onto any premises or property after giving reasonable notice to the owner or occupant of the premises or property to be inspected;
- 49.2. Take any steps to carry out any actions required to enforce this bylaw;
- 49.3. Take any steps or carry out any actions required to remedy a contravention of this bylaw;
- 49.4. Authorize another town employee or a 3rd party to remedy a contravention of this bylaw;
- 49.5. Issue warnings, violation tags, violation tickets, or use other measures as are appropriate, given the circumstances of the person involved.

PART 12 – PENALTIES, VIOLATION TAGS AND VIOLATION TICKETS

PENALTIES

50. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000 and in default of payment of any fine imposed, to imprisonment for not more than one year, or both.

51. Any person who contravenes any provision of this bylaw is guilty of an offence and liable to a minimum penalty as set out in Schedule “A”.

52. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs from which said person is liable in accordance with this bylaw or pursuant to the *Municipal Government Act*.

53. Where a contravention of this bylaw is of continuing nature, each day or offence of such contravention continues shall constitute a new and separate offence, and a violation tag or violation ticket may be issued for each day such offence continues.

VIOLATION TAGS AND VIOLATION TICKETS

54. A peace officer may issue a violation tag to any person whom the peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

54.1. Notwithstanding the above section, a peace officer may immediately issue a violation ticket without issuing a violation tag.

55. If a violation tag is issued and not paid within the prescribed time, the peace officer may withdraw the violation tag and issue a violation ticket.

56. A peace officer may issue a violation ticket to any person whom the peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw. The peace officer must serve upon such person a violation ticket in the form and manner as prescribed by the provisions of the *Provincial Offences Procedures Act*.

57. A peace officer is hereby authorized and empowered to immediately issue a Violation Tag or Violation Ticket to any person to whom the peace officer has reasonable grounds to believe has contravened any provision of this bylaw.

PART 13 – ORDERS BY PEACE OFFICER, RIGHT TO REMEDY, AND SERVICE OF NOTICE,

ORDERS

58. Where a property or premises is found to be in violation of any provisions of this bylaw, a peace officer may, in accordance with this bylaw and or section 545 and 546 of the *Municipal Government Act*, issue a written order to the owner of the property or premises to remedy the condition on the property or premises which violates this bylaw. Nothing in this bylaw prohibits the Peace Officer or the Municipality from applying for a Queens Bench Order.

59. A written order issued by a Peace Officer may:

59.1. Direct a person to stop doing something, or to change the way in which the person is doing it;

59.2. Direct a person to take any action or measures necessary to remedy the contravention of the enactment of bylaw, including the removal or demolition of a structure that has been erected, placed or is in contravention of this bylaw, and, if necessary, to prevent a re-occurrence of this contravention;

59.3. State a date and time which the person must comply with the order;

59.4. State that if the person does not comply with the directions within a specified time, the municipality will take the action or measures necessary at the expense of the person;

- 59.5. Require the owner of a structure in disrepair to eliminate the danger to public safety, which may include in the manner specified, or remove and demolish the structure and level the site;
- 59.6. Require the owner of the premises or property that contains an excavation or hole to eliminate the danger to public safety, which may include in the manner specified, or fill in the excavation or hole and level the site;
- 59.7. Require the owner of the premise or property to relocate or remove any vehicles, including recreational vehicles and junked vehicles, which do not comply with this bylaw;
- 59.8. Require the owner of the premises or property to improve the condition of the premises or property, which may include in the manner specified, or if the premises or property is a structure, to remove or demolish the structure and level the site; and/or;
- 59.9. Require the owner of the premises or property to remove graffiti to improve the appearance of the premises or property.

60. The peace officer shall give reasonable notice from the date of the notice being issued for compliance with the notice. During this period for compliance, a person may appeal the notice pursuant to Part 14 of this bylaw.

61. Any owner that fails to comply with a written order made under this bylaw, is guilty of an offence.

62. The municipality may register a Caveat pursuant to the *Land Titles Act* and the *Municipal Government Act* in respect to any order issued under this bylaw, against the Certificate of Title for the property that is subject of the Order;

63. If a Caveat is registered pursuant to this bylaw, the municipality must discharge the Caveat when the Order has been complied with, or when the municipality has performed the actions necessary to remedy the contravention as stated in the Order.

RIGHT TO REMEDY

64. The municipality may take whatever action or measures necessary to deal with a property that is not in compliance with this bylaw if:

- 64.1. The municipality has issued a written Order under this bylaw;
- 64.2. The person to whom the Order is directed has not complied with the Order within the time specified;
- 64.3. The review period respecting the Order has passed, or if a review has been made by Council, the review has been decided and it allows the municipality to take the action or measure.

- 64.4. The expenses and costs of an action or measure taken by the Municipality, including any storage or disposal costs, are an amount owing to the municipality by the person who was required to do something pursuant to the order. The expenses and costs may be added to the tax roll of the parcel of land affected by the order.

SERVICE OF NOTICE

65. A notice by a peace officer shall be deemed to be sufficiently served if the notice:
- 65.1. Was served personally on the individual or corporation named in the order;
 - 65.2. Was mailed to the last known address of the registered owner of the premises or property, or to the person concerned, in accordance with the *Interpretations Act*;
 - 65.3. Was left with a person apparently over the age of 18 years at the place of abode of the person to whom the notice is addressed;
 - 65.4. Was posted in a conspicuous place on the premises or property referred to on the order; or
 - 65.5. Was emailed to the personal e-mail of the individual named on the order, if the individual has consented to receiving e-mail's from the municipality.

PART 14 – APPEALS

66. A person who receives a written notice/order to comply with a section pursuant to this bylaw, may, by written notice, within 14 days of receiving the notice, request council to review the order.

67. After reviewing the order, Council may confirm, change, substitute or cancel the order. The decision of council shall be provided for in writing and provided to the appellant.

68. This subsection does not apply to violation tags or violation tickets written by a peace officer.

69. If a person considers themselves aggrieved by a decision under Part 14, they may appeal the decision to the Court of Queen's Bench, pursuant to section 548 of the *Municipal Government Act*.

PART 15 - INTERPRETATION

70. Words used in the singular include the plural and vice-versa.
71. When a word is used in the masculine or feminine it will refer to either gender.
72. Words used in the present tense include the other tenses and derivative forms.
73. A second and subsequent offence means more than one offence of the same nature by a person, owner, or occupant, within one year after the first offence violation was issued.

PART 16 - SEVERABILITY

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

AND THAT this Bylaw shall rescind the following Bylaws:

- a. Community Standards Bylaw (2015/08/P)
- b. False Alarms Bylaw (2015/09/P)
- c. Firearm Control Bylaw (92-20)
- d. Noise Bylaw (2013/16/P)
- e. Parks and Public Facilities Bylaw (2014/14/E)
- f. Temporary Shelter Bylaw (2019/06/P)

of the Town of Drayton Valley and shall have force and come into effect from and after the date of third reading thereof.

Read a first time this 25th day of May, 2022, A. D.
Open House held this 15th day of June, 2022, A. D.
Read a second time this 29th day of June, 2022, A. D.
Read a third and final time this 29th day of June, 2022, A. D.

Original Signed

MAYOR

Original Signed

CHIEF ADMINISTRATIVE OFFICER

(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, and printed under the CAO's authority.)

Bylaw 2022/06/P, passed by Council June 29, 2022,

Amendments:

- Bylaw 2023/01/P, July 26, 2023
- Bylaw 2023/02/P, February 7, 2024

Schedule "A"

Section	Offence Description	1st Offence	2nd Offence (within one year)
Vegetation			
5.1	Vegetation exceeds allowable length	\$250	\$500
5.2	Fail to remove grass or similar vegetation that encroached onto public sidewalk	\$250	\$500
5.3	Fail to destroy restricted or prohibited Weed	\$250	\$500
5.4	Fail to remove/replace grass/shrubs/vegetation/trees that are dead/diseased	\$250	\$500
5.5	Fail to remove or prune trees that are a public safety hazard	\$250	\$500
5.6	Fail to remove or prune shrubs or trees that are a nuisance to person on sidewalk or street	\$250	\$500
5.7	Fail to remove or prune shrub or tree which overhand the highway or sidewalk	\$250	\$500
5.8	Plant/grow a tree/shrub or vegetation that interferes with intersection or flow of traffic	\$250	\$500
5.9	Remove or prune trees/shrubs that are the responsibility of the municipality	\$500	\$1000
6.0	Plant trees/shrubs on boulevard or other municipal property	\$500	\$1000
Snow, Ice, Dirt and Debris			
7.1	Fail to maintain sidewalk of snow/ice/dirt/weeds/leaves within 48 hours	\$250	\$500
7.2	Fail to maintain roof or awning free of snow/ice	\$250	\$500
7.3	Fail to prevent obstructions from extending across sidewalk	\$150	\$300
8.1	Place snow/ice/dirt/weeds/leaves/rocks on highway/others property	\$250	\$500
Structures			
10	Fail to maintain structure in a reasonable state of repair	\$250	\$500
11	Fail to maintain fence in a reasonable state of repair	\$250	\$500
12	Cover doors/windows with improper material	\$250	\$500
13	Fail to keep unoccupied building reasonably secure	\$250	\$500
14	Structure deemed unfit for human habitation or unsafe not repaired or demolished within prescribed time	\$5000	N/A
Construction on Property			
15.1	Fail to have waste container during construction	\$250	\$500
15.2	Fail to contain waste building materials/debris in waste container	\$250	\$500
15.3	Place or store waste container on the street/sidewalk	\$250	\$500
15.4	Fail to stack or store building materials in orderly manner	\$250	\$500
15.5	Place or store building materials on the street, sidewalk, or other's property	\$250	\$500

15.6	Excavate on property during construction without securing area with fencing	\$250	\$500
General Property Maintenance			
16.1	Allow property to be a nuisance	\$250	\$500
16.2	Engage in activity that results in offensive odours, excessive dust or smoke which is a nuisance	\$250	\$500
16.3	Fail to remove graffiti within specified time	\$150	\$300
16.4	Have appliance outside improperly	\$250	\$500
16.5	Have standing or stagnant water	\$250	\$500
16.6	Excavate on property without securing area with fencing	\$250	\$500
16.7	Compost pile in incorrect place	\$250	\$500
16.8	Place improper materials into compost	\$250	\$500
16.9	Vehicle fluids improperly stored or disposed of	\$250	\$500
17.1	Allow an accumulation of refuse	\$250	\$500
17.2	Allow an accumulation of anything that causes unpleasant odours	\$250	\$500
17.3	Fail to collect and contain loose refuse and debris	\$250	\$500
17.4	Allow an accumulation of hazardous materials	\$250	\$500
17.5	Have an open or exposed storage of industrial fluids	\$250	\$500
17.6	Allow an accumulation of machine parts or pieces	\$250	\$500
18.1	Allow pest on property	\$250	\$500
18.2	Allow accumulation of material likely to attract animals/pests/wildlife	\$250	\$500
18.3	Allow accumulation of animal remains or parts	\$250	\$500
19.1	Direct water to adjacent property	\$150	\$300
19.2	Direct downspouts or eavestroughs to improper location – another property	\$150	\$300
19.3	Direct downspouts or eavestroughs to improper location – sidewalk/highway	\$150	\$300
19.4	Direct/allow sump pumps to improper location	\$150	\$300
19.5	Fail to obey water use instructions from the municipality	\$1000	\$2500
Vehicles and Trailers			
21.1	Have more than one junked vehicle	\$250	\$500
21.2	Allow an accumulation of vehicle parts or equipment	\$250	\$500
21.3	Allow recreation vehicle to extend over road or sidewalk	\$250	\$500
21.4	Fail to park vehicle/trailer on hard surface area	\$250	\$500
21.5	Keep heavy vehicle on residential property	\$250	\$500
22	Salvage yard/auto wrecker that appear to be a nuisance, fail to obscure property by approved screening	\$250	\$500
22.1	Park vehicle/trailer on municipal parkland	\$250	\$500
Public Behavior			
24.1	Litter	\$250	\$500
24.2	Loiter	\$150	\$300
24.3	Cause a public nuisance	\$250	\$500
24.4	Create or apply graffiti	\$500	\$750

24.5	Fight in public	\$500	\$750
24.6	Urinate or defecate in public	\$250	\$500
24.7	Indecent acts in public	\$250	\$500
24.8	Deposit flyers/posters/pamphlets on a motor vehicle or on a premises where it is clearly indicated they are not wanted	\$150	\$300
24.9	Deposit or place flyers/posters/pamphlets on highway/public place/street furniture	\$150	\$300
24.10	Vandalize or damage municipal property	\$1000	\$2500
24.11	Remove municipal property from intended location	\$250	\$500
24.12	Place/pile/store material or equipment on municipal property	\$250	\$500
24.13	Place/pile/store material or equipment on private property	\$250	\$500
24.14	Damage or destroy wildlife habitat on public property	\$500	\$750
24.15	Feed/Attempt to feed deer/moose/coyote/fox/skunk	\$250	\$500
24.16	Scavenge/disturb materials at charity collection site	\$150	\$300
24.17	Disobey directive sign placed at a public facility	\$250	\$500
24.18	Disobey directive sign placed at a municipal campground	\$250	\$500
24.19	Obstruct the free use/enjoyment of a person using a public facility	\$250	\$500
24.20	Obstruct/hinder/interfere with a peace officer in the performance of their duties	\$1000	\$2500
25.1	Cause/permit projectile in public place	\$250	\$500
25.2	Cause/permit projectile on private property	\$250	\$500
26.1	CCTV livestream/film/record inside another person's dwelling or impede/interfere with their property	\$250	\$500
26.2	Point/shine direct light into the living/sleeping areas of another's dwelling	\$250	\$500
Overnight Shelter			
28	Place/use overnight shelter where prohibited	\$250	\$500
29	Use/permit use of accessory building for human habitation or as a residence	\$250	\$500
30	Use/permit use of recreational vehicle for human habitation or as a residence	\$250	\$500
Noise			
32	Cause unreasonable noise	\$250	\$500
33	Cause unreasonable noise in residential district during quiet hours	\$250	\$500
34	Operate power equipment in residential district during quiet hours	\$250	\$500
35	Cause excessive industrial noise	\$500	\$750
Parkland			
38.1	Obstruct the free use/enjoyment of a person using parkland	\$250	\$500
38.2	Disobey directive sign placed for the use in parkland or storm water pond	\$250	\$500

38.3	Be in parkland during closed times	\$250	\$500
38.4	Sell goods or services in parkland	\$250	\$500
False Alarms			
40	Cause or Allow alarm due to faulty/damaged/malfunctioning alarm equipment/private alarm company	\$250	\$500
41	Cause any false alarm	\$500	\$750
Permits			
43	Fail to comply with permit	\$250	\$750
44	Make false/misleading statements when applying for a permit	\$250	\$750
46	Fail to produce a permit to a Peace Officer on demand	\$250	\$250
Orders			
61	Fail to comply with a written order	\$500	\$1000