BYLAW 1024-22
COMMUNITY STANDARDS BYLAW
Adopted October 25, 2022

AMENDED BY BYLAW 1053-24

COMMUNITY STANDARDS AMENDING BYLAW

Adopted April 23, 2024 (Effective June 1, 2024)

AMENDED BY BYLAW 1068-25

TRAFFIC SAFETY BYLAW AMENDING BYLAW

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AMENDED BY BYLAW 1106-26

COMMUNITY STANDARDS AMENDING BYLAW

Adopted May 12, 2026 (Effective June 1, 2026)

This document is consolidated into a single publication for the convenience of users. The official bylaw and all amendments thereto are available from the Legal and Legislative Services Department and should be consulted in interpreting and applying this Bylaw. In the case of any dispute, the original Bylaw and amendments must be consulted.

BYLAW #1024-22
The City of Beaumont Community Standards Bylaw

The *Municipal Government Act*, R.S.A. 2000, c. M-26 (MGA), authorizes a council to pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

The MGA authorizes a council to pass bylaws for municipal purposes respecting nuisances, including unsightly property;

Council believes the regulation of nuisances through a Community Standards Bylaw would benefit the community as a whole;

The MGA authorizes a council to pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or a place that is open to the public;

The MGA authorizes a council to pass bylaws for municipal purposes respecting the enforcement of bylaws made under the MGA or any other enactment;

Council deems it desirable for all regulations which affect community standards to be located, as much as possible, in one Bylaw;

Section 66(2) of the *Safety Codes Act*, R.S.A. 2000, c. S-1, authorizes a Council to pass bylaws respecting minimum maintenance standards for buildings and structures and unsightly or derelict buildings or structures; and

Therefore, Council enacts:

PART I – DEFINITIONS AND INTERPRETATION

Definitions

1 In this bylaw:

(a) "Boulevard" means that part of a highway that:
  (i) is not a roadway; and
  (ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians, and includes the undeveloped road allowance adjacent to a laneway;

(b) "Bully or Bullying" means the intentional, repeated, and hostile or demeaning behaviour of an individual or group based on, but not limited to, ability, race, religious belief, ethnicity, age, gender, or sexual orientation/identity, either directly or indirectly, through any medium whatsoever, where the behaviour results in physical, emotional, or mental harm, fear, or distress to one or more individuals, and includes Cyber Bullying;

(c) "Business" means a commercial, merchandising, institutional or industrial activity or undertaking, a profession, trade, occupation, calling or employment, or an activity providing goods or services and includes any activity carried on by an educational institution, municipality, or charitable organization;

(d) "Cannabis" has the meaning given to that term in the *Cannabis Act*, S.C. 2018, c. 16;

(e) "CAO" means the Chief Administrative Officer of the City or their delegate;

(f) "Child" means any person less than twelve (12) years of age;

(g) "City" means the City of Beaumont;

(h) "Cyber Bullying" means the use of electronic communication or any other media to Bully a person or group;

(i) "Designated Alcohol Consumption Area" means any area approved by Council and identified through signage where liquor may be consumed;

(j) "Graffiti" means words, letters, symbols, marks, figures, drawings, inscriptions, writings, or stickers that are applied, etched, sprayed, painted, drawn, stained, scribbled, or scratched on a surface without the consent of the property owner, and for greater certainty does not include anything authorized by law;

(k) "Graffiti Instruments" means a tool used for the purpose of creating Graffiti;

(l) "Highway" has the same meaning as in the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto;

(m) "Indecent Act" means sexual or lewd activity in a Public Place;

(n) "Loiter" means to linger aimlessly in or about a public place or to stand idly around or dawdle creating an obstruction by rendering impassable any street, road, sidewalk, or other area of public passage;

(o) "Minor" means a person under the age of eighteen (18) years of age;

(p) "MGA" means the Municipal Government Act RSA 2000, Chapter M-26 and amendments thereto;

(q) "Motor Vehicle" has the same meaning as in the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto;

(r) "Municipal Tag" means a tag or similar document issued by the City pursuant to the MGA;

(s) "Liquor" has the meaning set out in the Gaming, Liquor and Cannabis Act, R.S.A. 2000, c. G-1, and amendments thereto;

(t) "Occupy" means residing on or to be in apparent possession or control of Property;

(u) "Own" means:

(i) in the case of land, to be registered under the Land Titles Act, R.S.A. 2000, c. L-4, as the owner of the fee simple estate in a parcel of land; or

(ii) in the case of personal property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;

(v) "Panhandling" means to ask for a gratuitous donation of money, food, or goods of any kind, whether by spoken or printed word, or bodily gesture, but does not include the solicitation of charitable donations allowed or authorized pursuant to the Charitable Fundraising Act, R.S.A. 2000, c. C-9, or any other legislation permitting the solicitation of charitable donations;

(w) "Peace Officer" means any sworn member of the Royal Canadian Mounted Police, a Peace Officer or Community Peace Officer appointed under the *Peace Officer Act,* S.A. 2016, c. P-35 and amendments thereto and employed by the City or a Bylaw Enforcement Officer employed by the City.

(x) "Person" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;

(y) "Property" means in the case of land, a parcel of land including any buildings;

(z) "Public Place" means any place or any part of a building, structure, or other enclosed area to which members of the public have access as of right or by express or implied invitation;

(aa) "Public Vehicle" means a bus, taxi, or other vehicle that is used to transport members of the public for a fee;

(bb) "Residence" means a place used wholly or partly by a person as a permanent private dwelling, including a structure or land adjacent to the private dwelling that is used for the convenience or enjoyment of the occupants of the dwelling;

(cc) "Sidewalk" means that part of the highway especially adapted to the use of or ordinarily used by pedestrians and includes that part of a highway between the curb line or, where there is no curb line, the edge of the roadway, and the adjacent property line whether it is paved or unpaved;

(dd) "Smoke or Smoking" mean 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;

(ee) "Temporary Residence" means a tent that is set up in an area where overnight camping is legally permitted or a recreational vehicle or other vehicle that is parked in an area where overnight camping is legally permitted; and for clarity, shall not include any area outside of a tent, recreational vehicle, or other vehicle located in a legally permitted campsite;

(ff) "Violation Ticket" means a ticket issued pursuant to the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34;

(gg) "Wildlife" means non-domesticated animals, or an animal that is wild by nature and living in its natural habitat, but does not include feral cats or birds; and

(hh) "Workplace" includes the whole or any part of a building, structure, vehicle, or passenger conveyance in which a business is carried on but excludes any part which constitutes public space or is a private residence.

Interpretation

2 The following rules apply to interpretation of this bylaw:

(a) headings, titles, and margin notes in this bylaw are for ease of reference only;

(b) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;

(c) every provision of this bylaw is independent of all other

provisions and if any provision of this bylaw is declared invalid by a Court, all other provisions of this bylaw remain valid and enforceable; and

(d) references to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder.

PART II – PUBLIC BEHAVIOURS

Littering

3 A Person shall not leave any garbage, litter, or other refuse in a Public Place, except in a receptacle designated and intended for such use.

Flyers

4 A Person shall not place, deposit, or throw upon or into any Motor Vehicle any leaflet, pamphlet, poster, handbill, flyer, or any paper containing printed or written matter, whether advertising or not, with the exception of Municipal Tags or Violation Tickets issued pursuant to lawful authority.

5 A Person shall not deposit any leaflet, pamphlet, poster, handbill, flyer, or any paper containing printed or written matter, whether advertising or not, on a Property where signs or notices have been posted and are clearly visible at the entrance to the Property, indicating that such material is prohibited or not wanted.

Urination and Defecation

6 A Person shall not urinate or defecate in a Public Place or on Property except in a facility designated and intended for such use.

Spitting

7 A Person shall not spit at or on any Person or in any Public Place.

Dangerous Actions

8 A Person shall not throw or propel an object, or act in any other way, in a Public Place that is reasonably likely to cause injury to another Person, damage to Property, or damage to any Person's personal property.

9 No Person shall threaten or intimidate another Person in a Public Place, or use an object for the purpose of threatening or intimidating another Person in a Public Place.

Causing a Disturbance

10 No Person located in a Public Place shall disturb the peace and enjoyment of other members of the public by:

(a) screaming, shouting, or using loud, abusive or obscene language;
(b) being intoxicated by alcohol or another drug or substance; or
(c) performing an Indecent Act.

Interference with Property	11	No person shall damage, destroy, deface, tamper, or otherwise interfere with any Property or a Person's personal property.
	12	No Person shall stand or put their feet on the top of a table or surface of any table, bench, planter, sculpture, or other fixture in a Public Place.
Fighting	13	A Person shall not participate in a fight or other similar physical confrontation in a Public Place; this prohibition does not apply to participants of an event held under the authority of a sporting commission established pursuant to ss. 535.1 of the MGA to the extent that such event is in full compliance with any regulations or requirements established by the sporting commission.
Bullying	14	No Person shall Bully any person in any Public Place.
	15	No Person shall participate in or encourage by verbal or other means the Bullying of any person in any Public Place.
	16	No parent or guardian of a Child shall allow, permit, or encourage a Minor or Child under their care to engage in the Bullying or Cyber Bullying of another person or group of persons.
Alternative Dispute Resolution	17	Nothing in this Bylaw shall prevent a Peace Officer from directing that an offence under this Bylaw be considered for alternative dispute resolution, as administered by the City from time to time.
Loitering	18	A Person shall not Loiter in a Public Place.
Panhandling	19	A person shall not engage in Panhandling.
Graffiti	20	A Person shall not create or apply Graffiti.
	21	If a Peace Officer has a reasonably held belief that a Person is in possession of Graffiti Instruments for the purpose of creating or applying Graffiti, the Peace Officer may direct that the Person leave the area or surrender the Graffiti Instruments to the Peace Officer. Failure or refusal to follow the directions of a Peace Officer constitutes an offence under this Bylaw.
	22	Every Person who Owns or Occupies Property shall ensure that Graffiti placed on their Property is removed, painted over, or otherwise permanently blocked from public view within seventy-two (72) hours or as directed by a Peace Officer.

PART III – PROPERTY MAINTENANCE AND NUISANCE

Definitions

23 In this Part:

(a) "Building" includes anything constructed or placed on, in, over, or under land whether or not it is affixed to that land;

(b) "Construction Debris" means waste resulting from the construction, demolition, or renovation of any Building or structure, and includes, but is not limited to, lumber, drywall, concrete, asphalt, vinyl siding, insulation, shingles, metal, packaging materials and containers of construction materials;

(c) "Construction Material" means materials to be used in current or future construction, demolition, or renovation of any Building, structure, fence or any constructed thing, and includes, but is not limited to, lumber, drywall, concrete, asphalt, vinyl siding, insulation, shingles, and metal;

(d) "Construction Site" means a site on which construction, development, demolition, or renovation is occurring;

(e) "Nuisance" means any use of or activity on land which unreasonably interferes with a Person's use and enjoyment of Property or demonstrates a disregard for the general maintenance and upkeep of Property to produce a material annoyance, inconvenience, or discomfort to other Persons, whether it is detrimental to the surrounding area, some examples of which include, but are not limited to, the following:

(i) excessive accumulation of material, including but not limited to: building materials, appliances, household goods, boxes, tires, vehicle parts, garbage or refuse, whether of any apparent value or not;
(ii) loose litter, garbage, construction debris or refuse whether located in a storage area, collection area or elsewhere on the land;
(iii) damaged, dismantled or derelict vehicles or Motor Vehicles, whether insured or registered, or not;
(iv) smelly or messy compost heaps;
(v) grass or weeds higher than 20 centimeters;
(vi) production of excessive dust, dirt or smoke;
(vii) production of any generally offensive odours;
(viii) any open structure or container placed in, on or over land which exposes any surrounding area to automotive fluids, including but not limited to, engine oil, brake fluid or anti-freeze;
(ix) use of any pesticide or herbicide which has significant

detrimental or environmental effects on surrounding areas;

(x) any tree, shrub, other type of vegetation or any structure:
(1) that obstructs any Sidewalk adjacent to the land;
(2) that encroaches onto or covers any Sidewalk;
(3) that impairs the visibility required for safe traffic flow at any intersection adjacent to the land or access to the land; or
(4) that has any rot or other deterioration;

(xi) the failure to destroy prohibited weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds;

(xii) any publicly accessible excavation, ditch, drain or standing water that could pose a danger to the public;
any construction project or activity not completed within five (5) years of the date the building permit for the project or activity was issued by the City or, if no permit was issued or required, within five (5) years of starting the construction project or activity; and

(xiii) any conditions likely to attract wild animals, pests, other vermin, or domestic animals not associated with the subject Property.

(f) "Waste Bylaw" means Bylaw 1069-25, as amended, or repealed and replaced, from time to time; and

(g) "Waste Container" means a container commercially designed to contain Construction Debris, manufactured with a lid, that is not built on site, and used for the collection and storage of commercial, industrial, institutional, construction, and residential waste or recyclable materials, but does not include the residential waste, organic, or recycling collection cart provided by the City for residential waste curbside collection.

24 "Unsightly" or "Untidy" means:

(a) A Property that, because of its condition or the accumulation of refuse, debris, materials, or other items, is detrimental to the use and enjoyment of the surrounding area or neighboring properties;

(b) In respect of a structure, includes a structure whose exterior shows signs of significant physical deterioration, serious disregard for general maintenance, upkeep, or repair, or which constitutes a Nuisance;

(c) In respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep, or which constitutes a Nuisance; or

(d) In an unsightly condition within the meaning of s. 546 of the MGA.

Nuisance

25 A Person shall not cause or permit a Nuisance to exist on land they Own or Occupy.

26 A person who causes a Nuisance or permits Property they Own or Occupy to be used so as to cause a Nuisance shall as soon as practicable abate the Nuisance and cause to be abated the activity which causes the Nuisance.

Unsightly or Untidy Properties

27 A Person shall not allow Property which they Own or Occupy to be or to become Unsightly or Untidy.

28 No Owner or occupant of a Property shall have or allow in or on the Property, the accumulation of:

(a) anything that creates an odour, emission, smoke, vapour, dust or other airborne matter that is reasonably likely to disturb another individual; or
(b) any material likely to attract animals, pests, or wildlife; or

(c) animal remains, parts of animal remains, or animal feces.

29 A Person shall not have or allow the following to accumulate on Property which they Own or Occupy such that the accumulation is visible to a Person outside the Property:

(a) loose garbage or bagged garbage;

(b) bottles, cans, boxes, or packaging materials;

(c) household furniture or other household goods;

(d) automobile parts;

(e) parts of or disassembled machinery, equipment or appliances; or

(f) yard waste, including grass, tree and hedge cuttings, leaves and other refuse.

Sidewalks

30 A Person shall reasonably remove snow and ice from any Sidewalk adjacent to land they Own or Occupy within 48 hours after the snow or ice has been deposited.

31 If a Person fails to reasonably remove snow and ice from any

Sidewalk adjacent to land they Own or Occupy within 48 hours after the snow or ice has been deposited, the City may carry out the removal of snow and ice or contract out the removal of snow and ice, with all the costs and expenses involved charged to the Person responsible for the removal and any unpaid costs or expenses shall be added to the tax roll for the Property to be recovered in the same manner as other taxes pursuant to the provisions of the MGA.

32 No person shall damage any sidewalk or pavement in the City by striking, picking or cutting the same, whether such person is engaged in removing snow, ice, dirt or foreign material from the said sidewalk or pavement or not.

33 No person shall remove dirt, debris, or other materials from any sidewalk by causing such material to be placed upon any other portion of the highway or other Public Place adjacent to the sidewalk.

34 No person shall place, or permit, to be placed, any snow, ice, dirt, debris, or other material removed from private Property onto the highways or other Public Places.

35 No Person shall place, or permit to be placed, any snow, ice, dirt, debris, or other material removed from their own private Property onto another Person's Property.

Boulevards

36 A Person shall maintain any Boulevard adjacent to land they Own or Occupy by:

(a) keeping any grass on the Boulevard cut to a length of no more than 20 centimeters;

(b) removing any accumulation of fallen leaves or other debris; and

(c) notifying the City if tree maintenance is required.

Buildings

37 A Person shall not cause or permit a Nuisance to exist in respect of any Building located on land they Own or Occupy.

38 For greater certainty, a Nuisance in respect of a Building means a Building that shows signs of serious disregard for general maintenance and upkeep, whether it is detrimental to the surrounding area or not, some examples of which include, but are not limited to, the following:

(a) damage to the Building;

(b) a Building that is rotting or deteriorating; and

(c) any inappropriate infiltration of air, moisture, or water into the Building due to peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the Building.

Unoccupied Buildings

39 If a Building normally intended for human habitation is unoccupied then any door or window opening in the Building may be covered with a solid piece of wood, but only if the wood is:

(a) installed from the exterior and fitted within the frame of the opening in a watertight manner;

(b) of a thickness sufficient to prevent unauthorized entry into the Building;

(c) secured in a manner sufficient to prevent unauthorized entry into the Building; and

(d) coated with an opaque protective finish in a manner that is not detrimental to the surrounding area.

Construction Waste

40 Each Construction Site shall be equipped with a Waste Container, fitted with a fixed lid, on site.

40.1 A Waste Container's lid required under section 40 shall be maintained in a completely closed position when construction activity is not taking place or during periods of high wind.

40.2 Despite section 40 and section 40.1, a Waste Container is not required for minor home renovations or maintenance carried out by the Property Owner, provided that:

(a) renovations or maintenance does not generate Construction Debris beyond what can be accommodated by the City's residential waste curbside collection and disposal program;

(b) Construction Debris is disposed of in accordance with the City's Waste Bylaw; and

(c) Construction Debris is secured and stored in a manner where Construction Debris cannot be blown, scattered, or otherwise dispersed from or around the Property.

40.3 All Construction Debris shall be wholly contained within a Waste Container, unless otherwise provided in this bylaw, so as to prevent

any Construction Debris from being blown, scattered, or otherwise dispersed from or around the Construction Site.

40.4 Construction Debris placed in a Waste Container shall not protrude or be visible above the Waste Container's walls.

40.5 Waste Containers required under section 40 shall be periodically emptied or removed when full, with all contents disposed of at an appropriate waste disposal site, ensuring that Construction Debris does not unduly accumulate on the Construction Site

Construction Material

41 No Person shall allow loose Construction Material to be stored or accumulated on a Construction Site they Own or Occupy unless such Construction Material is:

(a) stacked or stored on the Property in an orderly manner; and

(b) not capable of being blown around the construction area or off the construction site.

41.1 For any Construction Site, all Construction Materials and excavated materials related to the construction, demolition or renovation in question shall be confined to the Property on which the Construction Site is located.

Repair of Motor Vehicles

42 A Person shall not conduct any repair work on Motor Vehicles, including mechanical repairs, autobody work, frame repair, collision repair, auto painting, auto detailing or modifications to the body or rebuilding of a Motor Vehicle, on any land in a residential district, unless the activity is authorized pursuant to legislation, and is in full compliance with applicable approvals, conditions, licenses, and permits.

43 This prohibition shall not apply to routine maintenance work performed on any Motor Vehicles owned, operated, or registered in the name of the Person who Owns or Occupies the Property on which the work is being performed, provided that:

(a) the activity does not create a Nuisance or noise complaints from neighbours;

(b) there is no escape of offensive, annoying or noxious odors, fumes or smoke from the Property;

(c) vehicle fluids, oil, gasoline products or other hazardous materials are properly stored and disposed of and not swept or washed into lanes, streets, or down storm sewers;

(d) all discarded vehicle parts and materials are properly stored and disposed of from the Property;

(e) no power washing of motor or powertrain is performed on the Property; and

(f) all building and fire code regulations are met.

Refrigerators and Freezers

44 A Person shall not place, cause, or permit to be placed a refrigerator, freezer, or other similar appliance on land they Own or Occupy unless effective measures have been taken to prevent the opening and closing of the appliance.

45 Without limiting the generality of the foregoing section, measures considered to be effective may include, but are not limited to, the following:

(a) the removal of the door from the appliance;

(b) the removal of the door handle mechanism if this prevents opening and closing of the door;

(c) the removal of the door hinges;

(d) the locking of the appliance; or

(e) otherwise wrapping or containing the appliance so that the interior is inaccessible.

PART IV – NOISE CONTROL

Definitions

46 In this Part:
"Holiday" means New Years Day, Alberta Family Day, Good Friday, Victoria Day, Canada Day, Heritage Day, Labour Day, , Thanksgiving Day, Remembrance Day, and Christmas Day of every year;

(a) "Noise" means any sound that is reasonably likely to annoy or disturb the peace of others;

(b) "Weekday" means Monday through Friday; and

(c) "Weekend" means Saturday through Sunday.

Prohibited Noise

47 A Person shall not cause or permit any Noise that annoys or disturbs the peace of any other Person.

48 A Person shall not cause or permit Property they Own or Occupy to be used so that Noise from the Property annoys or disturbs the peace of any other Person between the hours of 11:00 p.m. and 7:00 a.m.

Criteria

49 In determining what sound is reasonably likely to annoy or disturb the peace of others, consideration may be given to, but is not limited to, the following criteria:

(a) type, volume, and duration of the sound;

(b) time of day and day of week; and

(c) nature and use of the surrounding area.

Construction Activity

50 A Person shall not cause or permit any construction activity on Property they Own or Occupy before 7:00 a.m. or after 9:00 p.m. on a Weekday or before 9:00 a.m. or after 9:00 p.m. on a Weekend or Holiday.

Garbage Collection

51 A Person shall not collect, cause, or permit the collection of garbage with a Motor Vehicle on or adjacent to any Property zoned for residential use before 7:00 a.m. or after 9:00 p.m. on a Weekday or before 9:00 a.m. or after 9:00 p.m. on a Weekend or Holiday.

Motor Vehicles

52 If a Motor Vehicle is the cause of any sound that contravenes a provision of this Bylaw, the Owner of that Motor Vehicle is liable for the contravention.

Exceptions

53 Nothing in this Part prohibits:

(a) a person who is an employee or authorized agent of the City from producing certain sounds while acting within the scope of their functions, duties, or powers; or

(b) situations where the CAO has issued a permit allowing the production of certain sounds on whatever conditions the CAO deems appropriate.

PART V – SMOKING AND CANNABIS RESTRICTIONS

Public Places

54 Subject to section 55, the following are designated Public Places for the purpose of this Part:

(a) Public Buildings and those areas within six (6) meters of an entrance or exit to a Public Building;

(b) City Buildings, and those areas within six (6) meters of an entrance or exit to a City Building;

(c) Public Vehicles and Public Vehicle Shelters; and,

(d) Workplaces and those areas within six (6) meters of an entrance or exit to a Workplace

55 The proprietor, owner, or employer of every designated Public Place shall, if employees or members of the public from time to time gather to Smoke at a location outside the designated Public Place, ensure that ashtrays are placed more than six (6) meters from the entrance or exit of the designated Public Place.

56 No Person shall Smoke in a designated Public Place.

57 Notwithstanding section 56, a person may Smoke in an area designated as a Smoking area for Cannabis under the provisions of this Bylaw.

58 A person who Owns or Occupies a place where Smoking is prohibited by this Part shall not permit any individual to Smoke, Vape, or use an Electronic Smoking Device in that place.

59 Nothing in this Part prohibits a Person from Smoking in an area of a building designed, intended, and used exclusively as a private Residence unless the building is a multi-unit building.

60 Nothing in this Part affects the rights of Indigenous people respecting the ability to participate in traditional spiritual, cultural, or ceremonial practices.

61 Subject to the provisions of this section, a Person who Owns or Occupies a place where Smoking is otherwise prohibited by this Part may permit Smoking in that place when Smoking is permitted pursuant to provincial or federal legislation or powers exercised pursuant to such legislation.

62 If Smoking is permitted pursuant to this section, the Person who Owns or Occupies the premises shall ensure that:

(a) smoke does not enter any place where Smoking is prohibited;

(b) signage is clearly and prominently displayed at each entrance to

a place where Smoking is permitted, indicating that Smoking is permitted inside; and

(c) no person under the age of 18 years of age is allowed to enter or remain in a place where Smoking is permitted.

Cannabis Product

63 Any building or part of a building where Cannabis, or anything that will be used as an ingredient in a Cannabis product, is produced, packaged, labelled, stored, or tested must be equipped with a system that:

(a) Prevents the escape of odours associated with cannabis material to the outdoors;

(b) Provides natural or mechanical ventilation with sufficient air exchange to provide clean air in order to prevent smell to neighboring properties; and

(c) Prevents unauthorized access to the building or part of the building where Cannabis product or material is contained.

64 Section 63 does not apply to Restricted Substance Retail uses as defined in Land Use Bylaw 944-19.

E-Cigarettes (Vaping)

65 Nothing in this Part prohibits a person from using an Electronic Smoking Device for the sole purpose of testing the device, or sampling products used with the device, prior to purchase within a retailer, with the exception of Electronic Smoking Devices that use Cannabis, which may not be tested within a retailer.

Liquor

66 No person shall, except in accordance with a liquor license, sell or consume Liquor in a Public Place except:

(a) Where it is a temporary campsite in an approved campsite location;

(b) In a Designated Alcohol Consumption Area and in accordance with the provisions of the Gaming, Liquor, and Cannabis Act, R.S.A. 2000, c. G-1; or

(c) Where a special event permit and liquor license has been issued.

Proof of Exception

67 The burden of proving that an exception applies in any particular case under this Part is on the person alleging such exception on a balance of probabilities.

Designated Areas

68 The CAO may designate any Public Place, or portion of a Public

Place, as a no smoking area or as a smoking area.

69 The CAO shall place temporary or permanent signs or other markings identifying a no smoking area or smoking area.

70 The CAO may impose any requirements on a smoking area including, but not limited to, requirements that the area be enclosed or that no minors be permitted within the area.

71 No Person shall remove, move, alter, deface, conceal, or destroy any signs or other markings identifying a no smoking area or a smoking area, or a Designated Alcohol Consumption Area.

PART VI – ENFORCEMENT

72 Any Person who contravenes any provisions of this Bylaw is guilty of an offence and liable upon summary conviction to a specific penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw. Where no specific penalty is specified, a penalty of not less than one hundred ($100.00) dollars and not more than two thousand five hundred dollars ($2,500.00) to be imposed in the discretion of the Court having jurisdiction, having regard to s. 7(i) of the MGA.

72.1 For the purposes of enforcing sections 39-41.1, offences occurring at different Properties by the same Person shall be treated as separate offences, and will not constitute subsequent offences

Municipal Tag

73 A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provisions of this Bylaw.

74 Where a Municipal Tag is issued pursuant to this Bylaw, the Person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay the City the penalty specified on the Municipal Tag.

Violation Ticket

75 If the penalty specified on the Municipal Tag is not paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.

76 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 provision of this Bylaw.

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

(a) specify the fine amount established by this Bylaw for the offence; or

(b) require a Person to appear in court without the alternative of making a voluntary payment.

Payment in Lieu of Prosecution

78 A Person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

79 A Municipal Tag may also set out a reduced fine amount established by this bylaw as an incentive for early payment conditional on the amount being paid on or before a certain date.

80 For the purpose of this bylaw, if payment for a Municipal Tag is received by the City within seven (7) business days of the offence date, the fine amount for the offence as set out in Schedule A may be reduced by 50%.

Continuing Offence

81 In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

Vicarious Liability

82 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred during the employee's employment with the Person, or during the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

Corporations and Partnerships

83 When a corporation commits an offence under this Bylaw, every principal, director, manager, employee, or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

84 If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or

omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

Order to Comply

85 Notwithstanding anything else in this Bylaw:

(a) If the CAO or designate believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, including where any Property in the City is deemed by a Peace Officer to be Untidy, Unsightly, or a Nuisance, the CAO or designate may, by written order, require any Person responsible for the contravention to remedy it.

(b) The order may:
- (i) direct a Person to stop doing something, or to change the way in which the Person is doing it;
- (ii) direct a Person to take any action or measures necessary to remedy the contravention of the Bylaw and, if necessary, to prevent a re-occurrence of the contravention;
- (iii) state a time within which the Person must comply with the directions;
- (iv) state that if the Person does not comply with the directions within a specified time, the City will take the action or measure.

86 A Person named in and served with an order issued pursuant to this section shall comply with any action or measure required to be taken within the time specified.

(a) An order issued pursuant to this section may be served:
in the case of an individual:
- (i) by delivering it personally to the individual;
- (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least eighteen (18) years of age; or
- (iii) by mail addressed to the individual at their apparent place of residence or at any address for the individual on the tax roll of the City or at the Land Titles registry;

(b) in the case of a corporation:
- (i) by delivering it personally to any director or officer of the corporation;
- (ii) by delivering it personally to a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
- (iii) by mail addressed to the registered office of the corporation.

Obstruction

87 A Person shall not obstruct or hinder any Person in the exercise or performance of the Person's powers pursuant to this Bylaw.

PART VII - GENERAL

Powers of the CAO

88 Without restricting any other power, duty or function granted by this Bylaw, the CAO may:

(a) carry out any inspections to determine compliance with this Bylaw;

(b) take any steps or carry out any actions required to enforce this Bylaw;

(c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;

(d) establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of property; and such procedures may differ depending on the type of property in question;

(e) establish areas where activities restricted by this Bylaw are permitted;

(f) establish forms for the purposes of this Bylaw;

(g) issue permits with such terms and conditions as are deemed appropriate;

(h) establish the criteria to be met for a permit pursuant to this Bylaw;

(i) delegate any powers, duties or functions under this Bylaw to an employee of the City;

(j) appoint inspectors for the purposes of the *Agricultural Pest Act*, R.S.A. 2000, c. A-8.; and

(k) appoint inspectors for the purposes of the *Weed Control Act*, S.A. 2008, c W-5.1.

Permits

89 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.

90 A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this Bylaw.

91 If any term or condition of a permit issued pursuant to this Bylaw is contravened, or if a false or misleading statement or false or misleading information was provided to obtain the permit, the CAO may immediately cancel the permit.

Proof of Permit

92 The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted, or prohibited by this Bylaw is on the Person alleging the existence of such a permit on a balance of probabilities.

93 A copy of a record of the City, certified by the CAO as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

Severability

94 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

95 The City, a Peace Officer, or any Person who inspects Property under this Bylaw or any person who performs work on behalf of the City is not liable for any damages caused by the inspection, the work, or disposing of anything referred to in an Order.

PART VIII – REVIEW AND REPEAL

Review

96 This bylaw will be reviewed two years from the date of coming into force, and at any other time that Council considers appropriate.

Repeal

97 The following bylaws, and their amendments where applicable, are repealed upon passage of this Bylaw:

(a) Bylaw 642-05 Noise Abatement Bylaw;
(b) Bylaw 929-18 Cannabis Consumption Bylaw;
(c) Bylaw 671-06 Nuisance and Unsightly Premises Bylaw;
(d) Bylaw 593-03 Smoke-Free Public Places Bylaw; and
(e) Bylaw 477-97 The Snow Removal Bylaw.

FIRST READING: October 25, 2022

SECOND READING: October 25, 2022

THIRD READING: October 25, 2022

SIGNED THIS 25 day of October, 2022.

Bill Daneluik
MAYOR

Chelaine Winter
CLERK

Schedule "A"

Section	Description of Offence	Penalty 1st Offence	Penalty 2nd Offence	Penalty 3rd Offence
3	Littering	250	500	1000
4	Distributing flyers on vehicles	75	150	300
5	Distributing flyers at Property	75	150	300
6	Urinating or defecating in Public	250	500	1000
7	Spitting in Public	250	500	1000
8	Throwing or propelling an object in Public	350	500	1000
9	Intimidate or threaten in Public	350	500	1000
10	Cause a disturbance	250	500	1000
11	Damage/destroy/deface/tamper or otherwise interfere with property	250	500	1000
12	Stand/place feet on table/bench/planter/sculpture/fixture in public place	250	500	1000
13	Fighting in Public	250	500	1000
14	Communicate directly or indirectly in a manner to bully	250	500	1000
15	Encourage or support in the act of bullying	250	500	1000
16	Parent/Guardian allow, permit/encourage bullying	250	500	1000
18	Loitering in Public	250	500	1000
19	Panhandling	250	500	1000
20	Applying or Creating Graffiti	500	1000	2500
21	Failing to Follow Directions regarding Graffiti Instruments	250	500	1000
22	Failure to remove, paint over, or block from public view Graffiti within 72 hours or as directed by a Peace Officer	250	500	1000
25	Cause/permit a nuisance on property	250	500	1000
27	Untidy or Unsightly Property	250	500	1000

Section	Description of Offence	Penalty 1st Offence	Penalty 2nd Offence	Penalty 3rd Offence
28	Accumulation of prohibited material on Property	250	500	1000
29	Accumulation of prohibited material visible outside Property	250	500	1000
30	Failing to remove Snow and Ice Sidewalks	250	500	1000
32	Damage any sidewalk or pavement in the city by striking, picking, or cutting	250	500	1000
33	Placing dirt, debris, or other materials upon any portion of the highway or any other Public Place	250	500	1000
34	Placing snow, ice, dirt, debris, or other materials upon any portion of the highway or any other Public Place	250	500	1000
35	Place snow, ice, or debris on others property	250	500	1000
36	Failing to Maintain Boulevards	250	500	1000
37	Nuisance Building	250	500	1000
39	Failing to Secure Unoccupied Building	250	500	1000
40	No Waste Container on Construction Site	1000	2000	5000
40.1	Fail to completely close Waste Container lid	1000	2000	5000
40.3	Fail to wholly contain Construction Debris inside Waste Container	1000	2000	5000
40.4	Construction Debris protrudes above Waste Container's walls	1000	2000	5000
40.5	Fail to empty or remove Waste Container	1000	2000	5000
41(a)	Construction Material Not Neatly Stacked or Stored	1000	2000	5000
41(b)	Waste Material Blown Off Construction Site	1000	2000	5000
41.1	Fail to confine Construction Material, Waste Container, or excavated materials to Construction Site	1000	2000	5000
43	Repairing Motor Vehicles in a residential district	250	500	1000
44	Failing to Secure Appliances	250	500	1000

Section	Description of Offence	Penalty 1st Offence	Penalty 2nd Offence	Penalty 3rd Offence
47	Person causing excessive noise	250	500	1000
48	Person allowing excessive noise	250	500	1000
50	Prohibited Construction Activity	250	500	1000
51	Prohibited Garbage Collection	250	500	1000
52	Motor Vehicle Noise	250	500	1000
54(a)	Smoke/Consume/Vape within 6 meters of an exit or entrance of a Public Place	150	250	500
54(b)	Smoke/Consume/Vape within 6 meters of an exit or entrance of a city building	150	250	500
54(c)	Smoke/Consume/Vape in public vehicles or public vehicle shelter	150	250	500
54(d)	Smoke/Consume/Vape within 6 meters of an exit or entrance of a Workplace	150	250	500
55	Proprietor/Employer allow individual to smoke in an area designated as a no smoking area or fail to place ashtray in a Public Place more than 6 meters from entrance or exit	150	250	500
56	Smoke/Consume/Vape in a Public Place	150	250	500
57	Smoke/Consume/Vape cannabis in a Public Place	250	500	1000
58	Owner allow person to smoke in a non smoking area	250	500	1000
62(a)	Allow smoke to enter area where smoking is prohibited	250	500	1000
62(b)	Allow a person under the age of 18 into or remain in a location where smoking is permitted	250	500	1000
62(c)	Fail to display signs where smoking is permitted	250	500	1000
63	Fail to have filter allowing escape of odour	250	500	1000
66	Consume or Sell Liquor in a Public Place	250	500	1000
71	Remove, Alter, Destroy No Smoking/Smoking Signs	250	500	1000

Section	Description of Offence	Penalty 1st Offence	Penalty 2nd Offence	Penalty 3rd Offence
87	Obstruction of Enforcement	500	1000	1500
89	Fail to comply with conditions of a permit	250	500	1000