

# DRAFT

## BYLAW 1433/19 COMMUNITY STANDARDS BYLAW STURGEON COUNTY, MORINVILLE, ALBERTA

### BEING A BYLAW OF STURGEON COUNTY TO REGULATE NEIGHBOURHOOD NUISANCE, SAFETY AND LIABILITY ISSUES

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BYLAW 1433/19 BEING A BYLAW OF STURGEON COUNTY, MORINVILLE, ALBERTA, FOR THE PURPOSE OF REGULATING NEIGHBOURHOOD NUISANCE, SAFETY AND LIABILITY ISSUES.

**WHEREAS** the *Municipal Government Act*, RSA 2000 c. M-26 authorizes a municipality to pass Bylaws respecting the safety, health and welfare of people and protection of people and Property;

**AND WHEREAS** the *Municipal Government Act*, RSA 2000 c. M-26 authorizes a municipality to pass Bylaws respecting nuisances, including Unsightly Property;

**AND WHEREAS** the *Municipal Government Act*, RSA 2000 c. M-26 authorizes a municipality to pass bylaws regarding the remedying of contraventions of bylaws;

**AND WHEREAS** Sturgeon County deems it desirable to establish regulations which maintain and improve neighbourhood livability, and for these to be located in a single bylaw to the extent this is possible;

**NOW THEREFORE BE IT RESOLVED** that the Council of Sturgeon County duly assembled and under the authority of and pursuant to the provisions of the *Municipal Government Act*, as amended, hereby enacts the following:

#### **PART I – INTERPRETATION AND DEFINITIONS**

- 1(1) This Bylaw may be cited as the “Community Standards Bylaw.”
- 1(2) This Bylaw shall apply only to lands districted Residential (i.e. R1 – R6) in accordance with Sturgeon County’s Land Use Bylaw.
- 1(3) In this Bylaw:
  - a. **“Agricultural Practices”** means a practice that is conducted in a manner consistent with appropriate and accepted customs and standards as established and followed by similar agricultural operations under similar circumstances, and without restricting the generality of the foregoing includes the use of innovative technology used with advanced management practices.
  - b. **“Building”** means the process of constructing a Structure.
  - c. **“CAO”** means the Person designated by Council as the Chief Administrative Officer or that Person’s designate.
  - d. **“Crossbow”** means an item, as defined by *SOR/98-482*, that:
    - a. is designed or altered to be aimed and fired by the action of one hand, whether or not it has been redesigned or subsequently altered, to be aimed and fired by the action of both hands; or

- b. has a length not exceeding 500mm.
- e. **"Compost"** means the managed practice of recycling organic material including food and yard waste, through biological degradation in a container or pile, to create a useable soil conditioner.
- f. **"Construction"** means the temporary process of demolishing or building any Structure or repairing or improving a Structure that already exists, including landscaping, home repairs, Property improvement, and any work in connection with that process.
- g. **"Council"** shall mean the Municipal Council of Sturgeon County.
- h. **"County"** means the municipality of Sturgeon County.
- i. **"Court"** means the Provincial Court of Alberta.
- j. **"Cultivation"** means prepare and use land to raise crops by ploughing, planting seeds and taking care of growing plants.
- k. **"Designated Officer"** means an individual who is a designated Bylaw Enforcement Officer or Peace Officer, or Inspector appointed under the Alberta Weed Control Act, or ~~and/or~~ such other person as may be appointed by the Chief Administrative Officer (CAO).
- l. **"Enforcement Officer"** means a Bylaw Enforcement Officer appointed by Sturgeon County pursuant to the *Municipal Government Act; RSA 2000 c. M26* to enforce the County Bylaws, or a member of the Royal Canadian Mounted Police.
- m. **"Fence"** means a vertical physical barrier constructed for the purposes of marking a boundary, limiting visual intrusion, preventing unauthorized access, or sound abatement. ~~includes a privately built Fence developer built community screening Fence.~~
- n. **"Firearm"** as defined in the Criminal Code of Canada, Section 2 (or amendments thereto), means a barrelled weapon from which any shot, bullet or other projectile can be discharged with velocity exceeding 500 ft/sec and that is capable of causing bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm. For application of this Bylaw this definition includes Crossbows.
- o. **"Good Repair"** means a condition where something is free from significant damage or disrepair, including but not limited to broken or missing parts, rot, peeling or chipping surfaces, or other physical deterioration.
- p. **"Graffiti"** means any images or lettering, applied to an Owner's Property without their consent.
- q. **"Hazardous Tree"** means a destabilized or structurally compromised tree, or a tree with pest infestation, with a probability of failure that, in the opinion of a certified arborist, or in the opinion of a Designated Officer presents a significant risk of harm to people or property; or
  - (i) A tree that, in the opinion of an arborist or a Designated Officer:
    - a. Cannot have its life prolonged or be made safe through Good Arboricultural Practice; or
    - b. Is in a state of irreversible decline and is unlikely to become healthy through natural process of recovery; or
    - Is a threat to the surrounding natural environment
- r. **"Highway"** means:
  - (i) any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them,

whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles;

- (ii) a sidewalk, including a boulevard adjacent to the sidewalk;
  - (iii) if a ditch lies adjacent to and parallel with the roadway, the ditch; and
  - (iv) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be highway. This includes highways owned and managed by Sturgeon County.
- s. **"Industrial Fluids"** includes, but is not limited to engine oil, brake fluid, anti freeze or hydraulic fluid.
  - t. **"Land Use Bylaw"** means Sturgeon County's Land Use Bylaw as amended or replaced from time to time.
  - u. **"Landscaping"** means work undertaken to make a yard or other piece of land more attractive by altering the existing design, adding ornamental or aesthetic features, and planting vegetation.
  - v. **"Motor Vehicle"** means a Motor Vehicle as defined in the *Traffic Safety Act, RSA 2000, c T-6* as amended.
  - w. **"Municipal Government Act (MGA)"** means the Municipal Government Act, RSA 2000, c. M-26, and any amendments or successor legislation along with its associated regulations, as amended or replaced from time to time.
  - x. **"Naturalization"** means a portion of a lot where a lawn or perennial garden previously maintained by the owner which has been allowed to re-establish a reproducing population of native species, through a combination of natural regeneration and deliberate planting of species to emulate a natural area.
  - y. **"Nuisance Animal"** means any animal identified in the Pest and Nuisance Control Regulation 3(1) under the Agricultural Pests Act, including coyotes and skunks.
  - z. **"Occupant"** means any Person other than the registered Owner who is in possession of the Property, including but not restricted to, a licensee, lessee, tenant, or agent of the Owner.
  - aa. **"Open Compost Pile"** means a Composting site which is not fully contained in a Structure.
  - bb. **"Order"** means an Order as described in Section 545 or 546 of the *Municipal Government Act*, or Part 2 of this Bylaw.
  - cc. **"Owner"** means the Person who is:
    - i. Registered on the title of a Property at a land titles office;
    - ii. A Person who is recorded as the Owner of the Property on the County's assessment roll;
    - iii. A Person controlling the Property under construction, should the property be under construction;
    - iv. A Person who is the Occupant of the Property under a lease, license or permit.
  - dd. **"Park"** means those reserve lands, recreational lands, and other lands within Sturgeon County boundaries which are owned by or controlled by the County.

- ee. **“Person”** means a corporation, individual, heirs, executors, administration, or other legal representatives of an individual.
- ff. **“Property”** means any land, Structures, or premises, or any Personal Property located thereupon within the municipal boundaries of the County.
- gg. **“Recreational Vehicle”** means a wheeled structure designed to provide seasonal and/or temporary living quarters for travel or recreational purposes which may or may not be a motor vehicle itself. Typical examples are travel trailers, motor homes, truck campers and tent trailers.
- hh. **“Renovation”** refers to Building.
- ii. **“Residential District”** refers to any district that is intended for residential use under Sturgeon County’s current Land Use Bylaw.
- jj. **“Structure”** includes anything, permanent or temporary, constructed or placed on, in, over, or under land.
- kk. **“Trailer”** means a trailer as defined in the Traffic Safety Act, RSA 2000, c. T-6 as amended.
- ll. **“Unsightly”** means:
  - i. In respect of a Structure, a Structure whose exterior shows signs of significant physical deterioration, relative to adjacent lands and land uses or relative to other lands and land uses that could reasonably be considered to be in the neighborhood, and
  - ii. In respect of land, land that shows signs of serious disregard for general maintenance and upkeep, relative to adjacent lands and land uses or relative to other lands and land uses that could reasonably be considered to be in the neighborhood.
- mm. **“Vegetation”** means trees, shrubs, vines, and all other plants.
- nn. **“Work Forces”** includes employees of Sturgeon County and Persons under contract to Sturgeon County.

## **PART II – ORDERS**

### **Orders**

- 2(1) Every Order written with respect to this Bylaw must:
- a. Indicate the person to whom it is directed;
  - b. Identify the Property to which the Order is related by municipal address or legal description;
  - c. Identify the date it was issued;
  - d. Identify how the Property fails to comply with this or other Bylaws;
  - e. Identify the specific provisions of the Bylaw the Property contravenes;
  - f. The actions that must take place to bring the lands or activity into compliance or remedy; and
  - g. Timeline of when the order must be carried out.

## **PART III – ENFORCEMENT**

### **General Provisions**

- 3(1) A Person who contravenes this Bylaw by:

- a. Doing any act or thing which the Person is prohibited from doing; or,
- b. Failing to do any act or thing which the Person is required to do;

is guilty of an offence.

- 3(2) Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00) and in default of payment of any fine, imposed to a period of imprisonment not exceeding six (6) months.
- 3(3) No person shall obstruct a Designated Officer or Enforcement Officer, ~~Peace Officer~~ in the performance of their duties pursuant to this bylaw. Obstruction will include failure to provide access to property and failure to provide information as to identity of individuals.

#### **Orders to Comply**

- 3(4) Where a property in Sturgeon County is deemed by a Designated Officer to be in contravention of this Bylaw, the Officer may, at their discretion, prior to issuing a violation ticket, issue an Order under the *Municipal Government Act*, to the Person who is in contravention with this Bylaw.
- 3(5) Such an order may require that the Person:
- a. In the case where the Property is found to be Unsightly, a Nuisance, or a contravention of this Bylaw in a similar manner, the Officer may order a cleanup of the lands or premises and may further direct the Person to clean the lands or premises in such a manner that this Bylaw is, and continues to be, complied with
  - b. Take other required action to ensure that the contravention of this Bylaw no longer continues.
  - c. Orders (ie: Weed Notices) may be issued via regular mail and if not returned, are deemed received after seven days.
- 3(6) The Designated Officer who issues such an Order in writing must specify a deadline for compliance and may provide specific instructions to be followed when remedying the Nuisance.
- 3(7) The Designated Officer may provide a deadline for compliance with this Bylaw to be achieved, allowing up to fourteen (14) days for compliance, or an additional period of time where extenuating circumstances justify such an extension, at the discretion of the Designated Officer.
- 3(8) If the Owner or Occupant fails, neglects, or refuses to remedy a contravention of this Bylaw within the specified time period as directed by a Designated Officer's order, the specified officer may:
- a. Issue a violation ticket imposing a payment or fine as outlined in Sections 3(9) through 3(12) of this Bylaw;
  - b. Cause to be done any work necessary to remedy the condition with all costs and expenses involved being charged to the Owner of the Property in question, with any unpaid costs and expenses being added to the tax roll of the Property to be recovered in like manner as, and with, other taxes, pursuant to the *Municipal Government Act*.

- 3(9) Where a Person makes application pursuant to other Bylaws and Policies belonging to Sturgeon County and receives a valid permit pursuant to such a Bylaw or Policy, the issuing manager or their delegate may waive any requirement of this Bylaw, impose any conditions on the issuance or use the permit as they consider appropriate.

#### **Penalties and Violation Tickets**

- 3(10) Where an Enforcement Officer or Designated Officer believes that a Person has contravened any provision of this Bylaw, the Enforcement Officer or Designated Officer may commence proceedings against the Person by issuing a violation ticket pursuant to the *Provincial Offences Procedure Act RSA 2000, c P-24*.
- 3(11) Where a specified penalty exists for an offense, as listed in Schedule “A” of this Bylaw, that is the amount to be charged as penalty for the offence.
- 3(12) Notwithstanding Section 3(10) or the specified and minimum penalties set out in Schedule “A” of this Bylaw:
- a. If a Person is convicted twice of contravening the same provision of this Bylaw within a twenty-four (24) month period, the minimum penalty for the second conviction shall be twice the amount of the specified penalty for a first offence;
  - b. If a person is convicted three or more times of contravening the same provision of this Bylaw within a twenty-four (24) month period, the minimum penalty for the third and subsequent convictions shall be triple the amount of the specified penalty for the first offence.
- 3(12) This section does not prevent any Enforcement Officer or Designated Officer from issuing a violation ticket requiring a Court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act, RSA 2000 c. P-24* or from laying an information in lieu of a violation ticket.

#### **PART IV – UNSIGHTLY**

##### **Scope**

- 4(1) Nothing in this Part shall prevent bona fide agricultural practices.
- 4(2) Nothing in this Part shall affect any land designated by Sturgeon County as a sanitary landfill site, recycling centre, or other waste management facility.
- 4(3) Nothing in this Part shall prohibit a Property Owner from undertaking Naturalization efforts.

##### **General Provisions**

- 4(4) No Owner or Occupant of a Property shall allow the Property which they own or occupy to be in an unsightly condition, as defined in Section 1(3).

##### **Accumulation of Materials**

- 4(5) No Owner or Occupant of a Property shall allow on the Property, the accumulation of:

- a. Materials that create odours of any kind; or
  - b. Animal remains, parts of animal remains, or animal feces; or
  - c. Any material likely to attract animals, pests, or wildlife; or
  - d. Waste that remains on the property for a period of longer than three (3) weeks.
- 4(6) No Owner or Occupant of a Property shall allow the open or exposed storage on the Property of any industrial fluid, including engine oil, brake fluid, antifreeze, or hydraulic fluid.
- 4(7) No Person, Owner, or Occupant of a Property shall allow the following to accumulate on the Property such that the accumulation is visible to a Person viewing from outside the Property:
- a. Loose garbage;
  - b. Bottles, cans, boxes, or packing materials;
  - c. Household furniture or other household goods;
  - d. Automobile parts;
  - e. Parts of or disassembled machinery, equipment, or appliances; or
  - f. Refuse.

#### **Appliances**

- 4(8) No Owner or Occupant of a Property shall allow a refrigerator, freezer, washer or dryer to remain on the Property without first ensuring that the hinges and latches or lid or doors of the unit have been removed.
- 4(9) No Owner or Occupant shall allow any appliance to remain on the property such that the appliance is visible to a Person viewing from outside the Property.
- 4(10) Notwithstanding Section 4(8), it shall not be an offence for an Owner or Occupant of a Property to allow one or more refrigerators, freezers, washer, or dryer on a Property:
- a. If the specified appliance is not visible to a Person viewing from outside the Property; and
  - b. The specified appliance remains locked at all times with a padlock and key, or similar device.
- 4(11) Notwithstanding Section 4(9), nothing shall prohibit an Occupant or Owner of a Property from maintaining, in Good Repair, an appliance that is conventionally used and stored outdoors, including but not limited to, an appliance such as a barbeque.

#### **Outdoor Storage of Building Materials**

- 4(11) No Owner or Occupant of a Property shall permit on the Property, the accumulation of building materials, whether new or used, unless the Owner or Occupant can establish that a Construction or Renovation is taking place on the Property and that:
- a. The Construction or Renovation is currently taking place; or



- b. The Construction or Renovation is imminent; or
  - c. The Construction or Renovation has been recently completed; and
  - d. The materials found on the Property relate to the project taking place on the Property, in an amount reasonable for the size and scope of the project; and
  - e. The work on the project has not been suspended for a period in excess of one hundred and eighty (180) days; and
  - f. The project has a definite completion date.
- 4(12) The Owner or Occupant of a Property shall ensure that all Building materials stored on a Property, that are in agreement with the conditions of Section 4(11), are stored in an orderly and organized manner.
- 4(13) Notwithstanding the provisions of this Bylaw, it shall not be an offence to store a small amount of neatly stacked materials on a Property for basic Property maintenance.

#### **Yards and Landscaping**

- 4(14) Any Vegetation or Landscaping on a property must be maintained and kept from becoming Unsightly.
- 4(15) Vegetation on a Property shall be maintained so it does not exceed a height of fifteen (15) centimeters, except for Vegetation that is part of a maintained and intentional Naturalization or Landscaping effort.
- 4(16) Owners or Occupants of a Property shall remove or prune trees, hazardous trees, shrubs, or other landscaping that is considered to be a hazardous or in any way interferes with or endangers the lines, sidewalks, poles, conduits, pipes, sewer, or other works of Sturgeon County or a public utility.

#### **Nuisance Escaping Property**

- 4(17) No Owner or Occupant of a Property shall allow a 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.
- 4(18) An Owner or Occupant of a Property shall direct any rainwater downspout or eavestrough on the Property towards the front or rear of the Property or a side yard which does not abut another Property, unless it is pre-existing, otherwise authorized, or would be considered unreasonable or impractical to change.
- 4(19) No Owner or Occupant of a Premises shall allow a flow of water from a hose or similar device, downspout, or eavestrough to be directed over a public sidewalk to be a hazard to any Person or another Person's Property.

### **PART V – VEHICLES**

#### **Scope**

- 5(1) Nothing in this Part shall prevent bona fide agricultural practices.



**General Provisions**

- 5(2) The Owner or Occupant of a Property shall not allow the number of Recreational Vehicles stored on that Property to exceed the number of Recreational Vehicles permitted as outlined with Sturgeon County's Land Use Bylaw.
- 5(3) At no time shall a Motor Vehicle or Recreation Vehicle be stored in any front yard other than in a parking area where Motor Vehicles or Recreational Vehicles are intended to be parked.
- 5(4) Any Motor Vehicles stored on the property in accordance with Part 5 of this Bylaw shall be kept in a state of Good Repair.
- 5(5) No more than (2) dilapidated, derelict or inoperable Motor vehicles, whether or not insured or registered, may be allowed on any Property and includes the Owner or Occupier's Property. Such Motor Vehicles shall be covered by tarpaulin or placed in an approved structure in accordance with the Land Use Bylaw.

**PART VI – NOISE****Scope**

- 6(1) The standards, requirements, and prohibitions contained in this Part shall not apply to:
- a. The sounding of alarm(s) or warning(s) announcing fires or other emergencies;
  - b. The ringing of bells in religious assembly, and schools;
  - c. The use of signalling devices on vehicles in the normal operation of these vehicles for the purpose of providing warning to other vehicles or persons.
- 6(2) Nothing in this Part shall prevent bona fide agricultural practices.

**General Provisions**

- 6(3) Except as authorized pursuant to this Bylaw, no person shall make or allow to be made or continue any noise which emanates from the Property and could be reasonably understood to disturb, injure, annoy, or detract from the reasonable comfort of a Person, including any loud outcry, clamour, shouting, movement, music or activity between the hours of 11:00 pm and 07:00 am.
- 6(4) Except as authorized pursuant to this Bylaw, no person shall make or allow to be made or continue any noise on Public Property that could be reasonably understood to disturb, injure, annoy, or detract from the reasonable comfort of a Person, between the hours of 11:00 pm and 07:00 am.
- 6(5) Except as authorized pursuant to this Bylaw, no Person shall make or allow to be made or continue any noise on Public Property that is unreasonably disruptive to the surrounding community and that could be reasonably understood to disturb, injure, annoy, or detract from the reasonable comfort of a Person, at any time of day.

- 6(6) Whether any sound annoys or disturbs a Person, or otherwise constitutes reasonable objectionable noise, is a question of fact to be determined by a Designated Officer or Enforcement Officer issuing a warning or other enforcement measures as outlined in Part III of this Bylaw, or by a Court hearing a prosecution pursuant to this section of the Bylaw.

#### **Motor Vehicle Noise**

- 6(7) No Owner, or Occupant of a Property shall allow a Motor Vehicle located on the Property to emit excessive noise which is unreasonably disruptive to the surrounding community, including noise from excessive engine revving and stereo and amplification equipment within the Motor Vehicle.
- 6(8) A Person who owns, occupies, or controls a Motor Vehicle must not, at any time, allow it to remain running for longer than twenty (20) minutes when it is stationary in a Residential District. This time restriction shall not apply when the outdoor temperature is at or below - 15°C.

#### **Residential Activity Noise**

- 6(9) Between the hours of 11:00 pm and 07:00 am, no Person shall operate:
- a. A lawnmower of any type;
  - b. A motorized garden tool;
  - c. A powered tool beyond the limits of any Structure;
  - d. A snow clearing device operated by a motorized engine; or
  - e. A motorized snow or leaf blowing device.
- Additionally, between these hours, no person shall:
- f. Load or unload any vehicle in a manner that produces noise audible within the Structures, particularly dwellings, on adjacent properties.
- 6(10) Nothing in this Part shall prohibit a person unloading a Motor Vehicle, at any time, that contains:
- a. Fresh produce or perishable goods; or
  - b. Newspapers being delivered.

#### **Non-Residential Activity Noise**

- 6(11) No Person shall, between the hours of 11:00 pm and 07:00 am, carry on construction of any type which creates a sound which may be heard beyond the boundaries of the site on which the activity is being carried out.

### **PART VII – GENERAL MAINTENANCE**

#### **Scope**

- 7(1) Nothing in this Part shall prevent bona fide agricultural practices.

**General Provisions**

- 7(2) No Owner or Occupant of a Property shall allow a fence, Structure, or any other object to become a safety hazard.
- 7(3) Every Owner or Occupant of a Property shall keep the following in a state of Good Repair:
- a. Fences and related parts;
  - b. Structures and their related parts, including but not limited to:
    - i. Foundations and foundation walls;
    - ii. Roofs and their frames;
    - iii. Doors and their frames;
    - iv. Windows;
    - v. Exterior facing, finishing, and other surfaces of a Structure or Fence; and
    - vi. Exteriors components including stairs, decks, pools, porches, and any other object on the property.

**PART VIII – GRAFFITI****General Provisions**

- 8(1) No Person shall create or apply Graffiti to any object on their or another Person's Property.
- 8(2) Every Owner or Occupant of a Property shall ensure that Graffiti applied to any part of their Property or any object on their Property is removed, painted over, or in some other manner blocked from public view.

**PART IX – REGULATION OF COMPOSTING****Scope**

- 9(1) Nothing in this Part shall prevent bona fide agricultural practices.

**General Provisions**

- 9(2) No Owner or Occupant of a Property shall place or allow to be placed any amount of feces, animal parts or animal meat on a Compost pile or in a Compost container on the Property.
- 9(3) No Owner or Occupant of a Property shall allow an open Compost Pile on their Property within ten (10) metres of an adjacent dwelling house, measured from the nearest part of the open Compost Pile to the nearest part of the adjacent dwelling house.
- 9(4) Every Owner or Occupant who allows a Compost container or Compost pile to remain on the Property must ensure that it is maintained in such a manner that it does not create a nuisance by:
- a. Creating offensive odours;
  - b. Affecting the land of an adjacent Property; or
  - c. Attracting Nuisance Animals.

**PART X – DISPOSAL AND NEIGHBOURING PROPERTIES**

- 10(1) No person shall dump or dispose of any rubbish, garbage, waste, either liquid or solid, petroleum products, industrial or commercial waste products or by-products, sump discharge, or other products in such a manner that the disposal ends up on another Person's Property.

**PART XI – LIGHTS****Scope**

- 11(1) Nothing in this Part shall prevent bona fide agricultural practices.

**General Provisions**

- 11(2) No Owner or Occupant of a Property shall permit outdoor lights to shine directly into the living or sleeping areas of another dwelling.
- 11(3) An outdoor light shall not constitute a violation of Section 11(2) if the Owner or Occupant of the Property shields the light from shining directly at the living or sleeping area of the adjacent dwelling house.
- 11(4) Where an outdoor light is permitted or required pursuant to the Land Use Bylaw, and a valid development permit is issued for the light if necessary, the Land Use Bylaw, development, or other approval shall take precedence over Part 11 of this Bylaw.

**PART XII – USE OF FIREARMS**

- 12(1) The use or discharge of firearms is strictly prohibited.

**Part XII - EXERCISE OF DISCRETION**

- 13(1) Sturgeon County has the discretion to enforce this Bylaw and is not liable for any outcomes should an Officer or other municipal authority decide not to enforce this Bylaw, if acting in good faith.

**PART XIV – COST RECOVERY**

- 14(1) The expenses and costs incurred by the County and any of its work forces in the enforcement of this Bylaw may be collected as a civil debt or added to the tax roll of the Property that is subject of the enforcement proceeding under this Bylaw, in accordance with the *Municipal Government Act*.

**PART XV – MISCELLANEOUS**

- 15(1) Schedule A attached hereto forms part of this Bylaw.

**PART XVI – SEVERABILITY**

- 16(1) If at any time, any provision of this Bylaw is held to be invalid, illegal, or *ultra vires* by a decision of a Court, then that provision shall not apply, and that decision shall not affect the validity of the remaining portions of this Bylaw, which shall continue in full force and effect.

**PART XVII – TRANSITION**

- 17(1) Upon the coming into force of this Bylaw, Bylaw 617/88 is repealed.
- 17(2) Upon the coming into force of this Bylaw, Bylaw 606/87 is repealed.

**PART XIX – EFFECTIVE DATE**

- 18(1) This Bylaw shall come into force and effect upon the passing of the third and final reading and signing of the bylaw.

Read a first time this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Read a second time this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Read a third time this \_\_\_\_ day of \_\_\_\_, 20\_\_.

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MAYOR

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COUNTY COMMISSIONER (CAO)

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DATE SIGNED

**SCHEDULE "A"**

<b>Section</b>	<b>OFFENCE</b>	<b>Specific Penalty</b>
3(3)	Obstruct Designated Officer or Enforcement Officer	\$1,000.00
4(5)	Accumulation of material (odour, animal remains, Waste)	\$500.00
4(6)	Open or exposed storage Industrial Fluids	\$500.00
4(7)	Accumulation of material visible from outside Property	\$500.00
4(8)	Fail to remove hinges and latches or lid or doors from refrigerator or freezer	\$500.00
4(9)	Appliance on Property visible from outside Property	\$500.00
4(10)	Accumulation of Building materials	\$500.00
4(11)	Building materials not stored in orderly and organized manner	\$500.00
4(14)	Unmaintained Vegetation or Landscaping	\$500.00
4(15)	Grass and Weeds exceeding height of 15 centimetres	\$500.00
4(16)	Failure to remove or prune trees, shrubs or other landscaping that in any way interferes with or endangers lines, sidewalks, poles, conduits, pipes, sewer, or other works of the municipality or public utility	\$1,000.00
5(2)	Exceeding permitted number of stored recreational vehicles	\$250.00
5(3)	Storing or parking Motor Vehicle or Recreation Vehicle in front yard other than in an intended parking area	\$250.00
5(5)	More than (2) dilapidated, derelict or inoperable Motor vehicles	\$500.00
6(3)	No Person shall make or allow to be made or continue any noise which emanates from Property	\$500.00
6(4)	No person shall make or allow to be made or continue any noise which emanates from Public Property	\$500.00
6(5)	No Person shall make or allow to be made or continue any noise on Public Property that is unreasonably disruptive to the surrounding community	\$500.00
6(7)	Allowing Motor Vehicle on Property to emit noise which is disturbing annoys a Person	\$500.00
6(8)	Allowing vehicle to remain running longer than 20 minutes where not permitted	\$250.00
6(9)	Residential activity - Operating equipment outside permitted hours	\$500.00
6(11)	Non-Residential activity – Construction conducted outside permitted hours	\$500.00
7(2)	Allowing Fence, Structure or other object to become a safety hazard	\$500.00
7(3)	Failing to keep items on Property in state of Good Repair	\$500.00
8(1)	No Person shall create or apply Graffiti	\$500.00
8(2)	Failure to remove, paint over or block Graffiti from public view	\$500.00
9(2)	Placing feces or animal parts in Compost pile or container	\$500.00
9(3)	Placing Compost within ten (10) metres of adjacent dwelling	\$500.00

9(4)	Failure to maintain Compost pile in such a manner so that it does not create a Nuisance	\$500.00
10(1)	No Person shall dump, dispose of any rubbish, garbage, waste, either liquid or solid etc on another Person's Property	\$1,000.00
11(2)	Allowing lights to shine directly into the living or sleeping areas of another dwelling	\$500.00
12(1)	Use and or Discharge of Firearm	\$1,000.00