

**THE TOWN OF GRANDE CACHE  
EYLAW NO. 797**

**BEING A BYLAW OF THE TOWN OF GRANDE CACHE IN THE PROVINCE OF ALBERTA, TO REGULATE NUISANCES, NOISE, PUBLIC SAFETY, PUBLIC BEHAVIOUR AND LIVEABILITY**

**WHEREAS** pursuant to the Alberta Municipal Government Act, RSA 2000, Chapter M-26 as amended, provides that a municipal council:

- a) has authority to enact bylaws respecting nuisances, and may also pass bylaws related to unsightly, untidy, unsafe or dangerous property;
- b) may also enact bylaws respecting the safety, health and welfare of the people and the protection of people and property;
- c) may also enact bylaws respecting people, activities and things in, on or near a public place or a place that is open to the public; and
- d) may enact a bylaw for the purpose of prohibiting, eliminating or abating noise.

**WHEREAS** the Council of the Town of Grande Cache deems it desirable:

- a) to establish a bylaw to regulate such matters; and
- b) for regulations which affect nuisances, noise, public safety, public behaviour and neighbourhood livability to be located, as much as possible, in one bylaw.

**THEREFORE BE IT RESOLVED THAT** the Council of the Town of Grande Cache, duly assembled in Council Chambers in Grande Cache, Alberta, enacts the following:

**PART 1 – TITLE AND DEFINITIONS**

Section 1 – Title

- 1.1 This bylaw may be referred to as the 'Town of Grande Cache Community Standards Bylaw'.


Section 2 – Definitions

- 2.1 **ACT** means the Alberta Municipal Government Act (MGA), RSA 2000, Chapter M-26, as amended from time to time.
- 2.2 **CHIEF ADMINISTRATIVE OFFICER** means the Chief Administrative Officer (CAO) for the Town of Grande Cache.
- 2.3 **COMMUNITY EVENT** means any celebration, event, activity or thing so designated by resolution of Council, and to which this bylaw shall not apply by reason of said designation.
- 2.4 **CONSTRUCTION EQUIPMENT** means machinery or equipment typically utilized in the construction process and shall include but not be limited to a construction trailer, riveting machine, concrete mixer, gravel crusher, steam shovel, dragline, backhoe, air or steam compressor, jack-hammer, pneumatic drill, tractor other than a tractor used in farming operations, bulldozer, front end loader, motor scraper, motor grader, or any other tool, device or machine of a noisy nature.
- 2.5 **CONSTRUCTION NOISE** means noise caused by construction equipment.
- 2.6 **COUNCIL** means the municipal Council of the Town of Grande Cache.
- 2.7 **DEFECATE** means to discharge waste matter from the bowels.
- 2.8 **DESIGNATED OFFICER** is defined by the MGA, Sections 210, 211 and 212, and means the Chief Administrative Officer or a designated appointed by the Chief Administrative Officer for purposes of this bylaw

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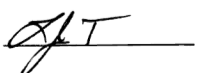


- 2.9 **GRAFFITI** means words, figures, letters or drawings scribbled, scratched, sprayed or applied by any other means on a surface without the consent of the owner of the premises on which they are placed.
- 2.10 **HIGHWAY** means any thoroughfare, street, road, trail, avenue, parkway, viaduct, alley, lane, right-of-way, square, bridge, causeway, trestle way, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and which includes:
- a) a sidewalk (including a boulevard portion thereof),
  - b) where a ditch lies adjacent to or parallel with the roadway, the ditch, and
  - c) where a highway right-of-way is contained between property lines or between a property line and one side of the roadway, all land between the property line and the edge of the roadway, as the case may be, but does not include a place declared by the Lieutenant Governor in Council not to be a highway.
- 2.11 **HOLIDAY** means any day declared as such by municipal, provincial or federal authority and includes Sundays.
- 2.12 **JUNKED VEHICLE** means a vehicle that:
- a) is in a wrecked, partly wrecked, dismantled, partly dismantled, inoperative/unregistered or abandoned condition, or is determined to be not roadworthy and is not located in a building or located on the property such that it can be concealed from view, or
  - b) is not located in a building and does not form part of a business enterprise lawfully being operated on that property.
- 2.13 **LITTER** means to throw, place or deposit refuse on any private or public land within the Town of Grande Cache.
- 2.14 **LOITER** means to linger aimlessly in or about a place or remain in an area for no obvious reason.
- 2.15 **MOTOR VEHICLE** means a motor vehicle as defined in the Alberta Traffic Safety Act, RSA 2000, Chapter T-6.
- 2.16 **NOISE** means any sound which in the opinion of the Peace Officer, having regard for all circumstances, including the time of day and the nature of the activity generating the sound, is likely to unreasonably annoy or disturb persons or to injure, endanger or detract from the comfort, repose, health, peace or safety of persons within the boundary of the Town of Grande Cache.
- 2.17 **NOXIOUS WEEDS** means a plant designated in accordance with the Alberta Weed Control Act, RSA 2008, Chapter W-5.1 and regulations as a noxious weed, prohibited and noxious, and includes the plant's seeds.
- 2.18 **NUISANCE** means any use of or activity upon any property which in the opinion of a Peace Officer is dangerous to health, or has or may have a detrimental impact upon any person or other property in the neighborhood, or which creates an unreasonable interference with the use or enjoyment of other property, and without limiting the generality of the foregoing, includes the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition whether or not their posting or exhibiting is permitted by this or any other bylaw.
- 2.19 **OCCUPANT** means a person occupying a property or the person with a rental agreement, lease or permission to use the property.

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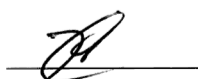


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- 2.20 **OCCUPANT OF LAND** means the owner of any lot or parcel of land within the Town of Grande Cache whether or not a dwelling place is present on the land. For the purposes of this bylaw, the 'occupant of land' shall also be deemed to be the occupant of that portion of any highway within the Town and subject to the direction, management and control of the municipal Council of the Town of Grande Cache and which adjoins his or her land and lies between the boundary of his or her land and the middle line of the highway.
- 2.21 **OWNER** means the person occupying or otherwise controlling the said property and the person who is the registered owner of the property.
- 2.22 **PANHANDLING** means the personal, verbal and direct solicitation by a person of gratuitous donations of money, foods or goods of any kind from any member of the public, but does not include a solicitation allowed or authorized pursuant to the Charitable Fund Raising Act, R.S.A. 1995, Chapter C-4.5.
- 2.23 **PEACE OFFICER** shall mean a member of the Royal Canadian Mounted Police (RCMP) and/or a Special Constable, or a Community Peace Officer employed by the Town of Grande Cache.
- 2.24 **PERMIT** means a written permit issued by the CAO or their designated pursuant to Section 5(1) of this bylaw.
- 2.25 **PERSON** includes a corporation, individual, and heirs, executors, administrators or other legal representatives of an individual.
- 2.26 **PROPERTY** includes any lands, buildings or premises in the Town of Grande Cache
- 2.27 **PUBLIC LANDS** means all lands under the ownership and control of Her Majesty the Queen in the right of Canada, Her Majesty the Queen in the right of Alberta, or the Town of Grande Cache.
- 2.28 **PUBLIC PLACE** means any place within the Town to which the public may have either express or implied access.
- 2.29 **RECREATIONAL VEHICLE** means a vehicle, portable structure, trailer or water craft that can be towed, hauled, carried on a vehicle or trailer or driven, and which is designated to be used for travel or recreational purposes including:  
a) a motor home, camper, travel trailer, fifth-wheel trailer, tent trailer, truck camper, boat, canoe, kayak, snowmobile, all-terrain vehicle, jet-ski, motorcycle, or other similar vehicle; or  
b) trailer designed to carry items listed in (a) above.
- 2.30 **REFUSE** means any item specifically addressed in this bylaw and junked articles, including but not limited to, solid wastes, including woods, metals, tires, broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, food containers, food wrappers, grass cuttings, shrubbery and tree prunings, weeds and garden waste, abandoned vehicles, tires, residential furnishings, household appliances, animal feces, garbage bags and all other discarded materials.
- 2.31 **SIDEWALK** means that portion of a highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians with the exception of the areas chosen by the Town of Grande Cache to be designated winter snow reservoir areas.
- 2.32 **SPIT** means to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth.
- 2.33 **TOWN** means the Town of Grande Cache.

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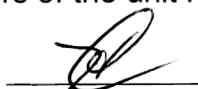
- 2.34 **URINATE** means to discharge urine from the body.
- 2.35 **UNTIDY OR UNSIGHTLY PROPERTY** means:
- a) a property that because of its condition or the accumulation of refuse is detrimental to the use and enjoyment of the surrounding area or neighboring properties.
  - b) in respect of a structure, includes a structure whose exterior shows signs of significant physical deterioration, serious disregard for general maintenance, upkeep or repair and in the opinion of a Peace Officer, is dangerous to public safety.
  - c) in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep and in the opinion of a Peace Officer, is dangerous to public safety.
- 2.36 **VEHICLE** means a device in, on or by which a person or thing may be transported or drawn on a highway and includes special mobile machines and agricultural implements.
- 2.37 **VIOLATION TAG** means a ticket or similar document issued by a Peace Officer pursuant to the Municipal Government Act, RSA 2000, Chapter M-26.
- 2.38 **VIOLATION TICKET** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, Chapter P-34.

## PART TWO – PROPERTY NUISANCES

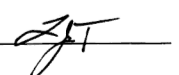
### Section 3 – Untidy and Unsightly Premises

- 3.1 No owner or occupant of any land or premises within the Town of Grande Cache shall have property, or permit the property or premises to be or remain in a nuisance, unsightly or untidy condition, in accordance with Section 546 of the Municipal Government Act.
- 3.2 No person shall permit or allow a junked vehicle to remain in any part of a yard in any residential area, for more than fourteen (14) successive days.
- 3.3 No owner or occupant of a property shall have or allow on the property, the accumulation of:
- a) any material that creates unpleasant odour;
  - b) any material likely to attract animals, pests or wildlife;
  - c) animals remains, parts of animals remains or animal feces.
- 3.4 No owner or occupant of a property shall have or allow the open or exposed storage on the property of any industrial fluid, including engine oil, brake fluid or anti-freeze.
- 3.5 No owner or occupant of a premises shall have or 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 and 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; and
  - f) yard waste, including grass, tree and hedge cuttings, leaves and refuse.
- 3.6 No owner or occupant of a property shall allow a discarded refrigerator or freezer to remain on the property without first ensuring that the hinges, latches, lid or doors of the unit have been removed.

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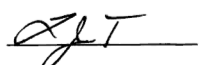


- 3.7 Notwithstanding section 3(6), it shall not be an offence for an owner or occupant of a property to have or allow a refrigerator or freezer on the property:
- if the refrigerator or freezer is not visible to a person viewing from outside the property, and;
  - if the refrigerator or freezer remains locked at all times with a padlock and key or similar device.
- 3.8 No owner or occupant of a property shall have or allow any discarded appliance to remain on the property such that the appliance is visible to a person viewing from outside the property.
- 3.9 The owner and/or occupant of all public or private property shall:
- cut the grass on the subject property as well as on any boulevard which abuts, flanks, or adjoins the property and any grass that encroaches onto a public sidewalk. This includes lanes or alleys at the rear of the premises or property;
  - eradicate noxious weeds in accordance with the *Alberta Weed Control Regulations, AR 19/2010*;
  - remove from premises any dead grass, brush, rubbish, or anything else which is considered untidy or unsightly;
  - remove or prune trees that in any way interfere with or endanger the lines, poles, conduits pipes, sewer, or other works of a Municipal or other public utility;
  - repair, paint, and generally maintain or remove fences and other construction on commercial, industrial, and residential property;
  - repair, paint, and generally maintain private recreation areas such as the play space as permitted in the Land Use Bylaw;
  - every owner or occupant of a property shall ensure that graffiti placed on their premises is removed, painted over, or otherwise permanently blocked from public view.
- 3.10 No owner or occupant of property shall have or allow on the property the accumulation of building materials, whether new or used, unless that owner or occupant can establish that a construction or renovation undertaking is being carried out on the property and that:
- the project has begun or the beginning of work is imminent;
  - the materials found on the property relate to the project taking place on the property in a quantity reasonable to complete the project;
  - the work on the project has not been suspended for a period in excess of sixty (60) days;
  - this section does not include waste or refuse generated from the project.
- 3.11 An owner or occupant of a property shall ensure that all building materials referred to in section 3(10) that are stored on the property are stacked or stored in an orderly manner.
- 3.12 Notwithstanding anything in Section 3(10), it shall not be an offence to store a small amount of neatly stacked materials on a property for basic property maintenance.
- 3.13 No person shall allow smoke from an approved open burning fire to become or remain a nuisance to any other person.
- 3.14 If, in the opinion of the Community Peace Officer, a water course, pond or other surface water becomes or remains a nuisance or poses a danger to public safety, the Community Peace Officer may declare the water course, pond or other surface water a nuisance and require the owner or occupant of the premises to eliminate the nuisance or danger.

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Section 4 - Compliance Notice

- 4.1 Where any lands or premises in the Town of Grande Cache are deemed to be untidy, unsightly or of a nuisance condition, a Peace Officer may give a compliance notice, in writing, to a person who is under a duty imposed by this bylaw to prevent such a condition or to remedy the condition in accordance to **Section 545 of the Alberta Municipal Government Act.**
- 4.2 A Peace Officer who issues a written notice must specify a deadline for compliance and may give any specific instructions to remedy the nuisance.
- 4.3 A Peace Officer may allow up to fourteen (14) days from the date of delivery of the notice for its compliance
- 4.4 A Peace Officer may serve the notice by delivering it or sending it by ordinary or registered mail to the owner of the property, and may also:
- a) post it to the door of a building or in any other conspicuous place on the property, and service is effective on the day of the posting; or
  - b) deliver it in person or mail it to any other owner, tenant or agent.

Section 5 - Inspections

- 5.1 With respect to Part 2 of this Bylaw, a Peace Officer is authorized to enter any lands, buildings or property, other than a dwelling, to inspect for conditions that may constitute a nuisance, unsightly or untidy conditions or contravene or fail to comply with the provisions of this bylaw and such Peace Officers may order the owner or occupant thereof to remedy any condition which is deemed to be in contravention of this bylaw. This is pursuant to Section 542 of the Municipal Government Act for the purpose of ensuring compliance with this bylaw.
- 5.2 No person shall prohibit or interfere with a Peace Officer conducting an inspection authorized under section 5(1).

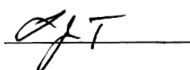
Section 6 - Right of Appeal

- 6.1 An owner who considers himself or herself aggrieved by a Compliance Notice that relates to the property that is given by a Peace Officer may appeal to the Town of Grande Cache by filing a notice of appeal under Section 547 of the Municipal Government Act.
- 6.2 A notice of appeal shall be accompanied by an administrative fee of:
- a) if a residential property \$100.00; or
  - b) if a business property \$200.00.
- 6.3 In the event that the Municipal Council of the Town of Grande Cache rules in favour of the appellant and grants the appeal, the administrative fee shall be fully refunded.
- 6.4 A notice of appeal shall be in writing and shall set out:
- a) the name and address of the appellant;
  - b) a copy of the notice in respect of which the appeal is being taken;
  - c) the legal description of the land affected; and
  - d) the grounds for the appeal.
- 6.5 A notice of appeal shall be delivered personally or sent by double registered mail to the Chief Administrative Officer or designate within fourteen (14) days of the date the notice is issued.
- 6.6 The municipal Council for the Town of Grande Cache shall review and determine appeals as called for in Section 547 of the Act.

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- 6.7 The Chief Administrative Officer or designate shall, on determination of the appeal, send a copy of the decision together with the written reasons, if any, to the appellant by registered mail.

### PART 3 – PUBLIC NUISANCES

#### Section 7 - Prohibited Public Behaviour

**AMENDED** ~ delete s. 7.1(k)  
add s. 7.1(l)-(o)  
Bylaw No. 821  
Date 2017/01/11

- 7.1 No person shall:
- a) litter in or on a public place or in public on any private property;
  - b) tip, damage, interfere with or remove trash from any public waste bin,
  - c) urinate in or on a public place or in public on any private property;
  - d) defecate in or on a public place or in public on any private property;
  - e) spit on any street, sidewalk, pathway, trail or in or on any public place or in public on any private property;
  - f) loiter in a public place and thereby obstruct or harass any other person
  - g) no person shall stand or put his feet on the top or surface of any table, bench, planter, or sculpture placed in any public place.
  - h) create or apply graffiti;
  - i) engage in panhandling
  - j) no person shall carry a visible knife in any public place.
  - k) all public places within the Town shall close between the hours of 12:00 midnight and 6:00 am. No person shall be in a public place at night from 12:00 midnight and 6:00 am without a legitimate reason.
  - l) no person is permitted to loiter, utilize, or occupy a public place or park between the hours of 12:00 midnight to 6:00 am, unless attending an authorized public function or event.

#### Section 8 - Signs

- 8.1 No person shall place on or attach to any other structure, including light standards, traffic sign posts, trees:
- a) garage sale signs;
  - b) public event announcement signs; or
  - c) any other sign.
- 8.2 Signs for garage sales, public event announcements, special event announcements are permitted provided that:
- a) all signs are self-supporting (ie. sandwich boards, etc.) and do not exceed a size of 0.28<sup>3</sup> meters (3 square feet);
  - b) signs are not placed on or attached to any other structure, including traffic sign posts, light standards and trees;
  - c) no signs are posted earlier than 72 hours prior to the event or sale; and
  - d) all signs must be removed no later than 24 hours following the event or sale.

### PART 4 - NOISE ABATEMENT


#### Section 9 - Noise Prohibitions

- 9.1 Quiet time within the Town of Grande Cache shall be for domestic noise:
- a) between the hours of 10:00 pm and 8:00 am in the morning of the following day on weekdays, or
  - b) 10:00 pm and 9:00 am in the morning of the following day which is a Sunday or holiday.

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Or

For commercial and industrial noises (within 150 meters of the boundary of any such areas):


- a) 10:00 pm and 7:00 am in the morning of the following day on weekdays, or
- b) 10:00 pm and 9:00 am in the morning of the following day which is a Sunday or holiday.

- 9.2 Except to the extent permitted by the Bylaw, no person shall:
- a) disturb the peace and quiet of another person by causing or creating excessive noise within the Town at any time;
  - b) disturb the peace by causing or creating excessive noise within the Town during the period specified as quiet time;
  - c) operate or permit any other person to operate within the Town a motor vehicle that causes excessive noise;
  - d) operate or permit any other person to operate within the Town an off-highway vehicle that causes excessive noise.
- 9.3 No owner shall allow property they own to be used in such a way that there is excessive noise originating from the property.
- 9.4 A Peace Officer may direct any person who has caused or made noise, or any person who owns property from which noise has originated, to abate or eliminate the noise. Such direction may be either verbal or written.
- 9.5 Where an activity which is not specifically prohibited by any federal, provincial or municipal laws or regulations, including this bylaw and which involves creating or making a sound which:
- a) is or may become; or
  - b) creates or produces or may create or produce noise, a person engaging in such activity shall do so in such manner as to create as little sound as practicable under the circumstances.
- 9.6 During quiet hours, no person shall carry on construction of any type which, without restricting the generality of the foregoing, involves hammering, sawing or the use of any machine or generator, tools, or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried out.
- Where it is impossible or impractical to comply with the provisions of Subsection 9.6, The Chief Administrative Officer or their designate may give written approval to carry on the work that I found to be necessary at designated hours. Responsibility for obtaining written approval lies with the person carrying on the work.
- 9.7 No occupant shall operate a lawn mower, snow removal machine, chain saw, or any other motor driven machine in any area designated as residential during the quiet hour.
- 9.8 No occupant shall permit any animal including dogs, cats, rabbits, or other domestic animal, or bird, which by its cries disturbs the peace, quiet, rest, or tranquility of the surrounding neighbourhood or the public at large.
- 9.9 No person shall operate or allow a person to operate any sound amplifying equipment from any residence, business premises or vehicle in any park, public place, or private premises which may be heard beyond the boundaries of the property upon which the activity is being carried out.
- 9.10 No person shall operate engine retarder brakes when driving within the corporate limits of the Town of Grande Cache.

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- 9.11. The Chief Administrative Officer and or their designate, may upon written request, issue a permit to a person for the purpose of temporarily exempting the noise provisions of this bylaw.
- 9.12 A permit issued under this bylaw shall:
- a) be submitted forty five (45) days in advance of the date of exemption;
  - b) be issued no later than thirty (30) days prior to the exemption date;
  - c) include the dates and hours during which noise may occur;
  - d) include the name and address of person or organization requesting exemption;
  - e) include a telephone number of person or organization requesting exemption;
  - f) include a fee of \$50.00 payable to the Town of Grande Cache;
  - g) be produced to a Peace Officer upon demand.
- 9.13 All persons who receive an exemption permit must advertise the date, time and location of the exemption a minimum of fourteen (14) days prior to the event.
- 9.14 Persons owning or controlling construction equipment and persons owning or controlling land on which construction equipment is being operated shall be exempt from section 9(2) a) of this bylaw if:
- a) the noise is generated pursuant to work done in the normal manner to the industry;
  - b) the noise is generated between the hours as authorized by the bylaw; and
  - c) all necessary federal, provincial and municipal permits, licenses and approvals have been obtained and the work is not contrary to any federal, provincial or municipal laws or regulations.
- 9.15 Part 4 of this bylaw does not apply:
- a) to work carried on by the Town of Grande Cache or its agents, contractors, servants or employees, acting within the scope of the agency, contract, or employment as the case may be;
  - b) to the performance of work by any person on land zoned as industrial pursuant to the Town of Grande Cache Land Use Bylaw, as amended, if the noise is generated pursuant to the work done in the normal manner to that end;
  - c) to community events; and
  - d) to a person in possession of an issued permit.

Section 10 - Inspections

- 10.1 With respect to Part 4 of this bylaw, a Peace Officer may enter any land, building or property to inspect for conditions that may constitute a contravention of this bylaw.
- 10.2 No person shall prohibit or interfere with a Peace Officer conducting an inspection authorized under this bylaw.

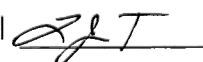
**PART 5 – PARKING RECREATIONAL VEHICLES** (camping trailers, 5th wheelers, etc.)

- 11.1 No person shall park a vehicle on public property other than a public highway, including any park, playground, public reserve or school ground, except as authorized by this bylaw or permitted by signs erected by authorization of the designated officer or other public authority having jurisdiction.

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**PART 6 – DEVELOPMENT**

**Section 12 – Property Development**

- 12.1 A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- 12.2 The applicant shall be financially responsible during construction for any damage by the applicant, his employees, his suppliers, agents or contractors to any public or private property.
- 12.3 The applicant shall prevent excess soil or debris from being spilled on public roads, lanes and sidewalks and shall not place soil or any other materials on adjacent lot without permission in writing from adjacent property owners.

**Section 13 – Municipal Lands and Boulevards**

- 13.1 The developer/owner, as the case may be, of a lot abutting a boulevard shall develop and maintain the boulevard abutting their lot by excavating, backfilling, leveling or consolidating to final grade, then seeding or performing other works that may be necessary to develop and maintain a turf boulevard, including weed control, with all development and maintenance of the boulevard being entirely at the developer's/owner's expense.
- 13.2 The fencing of public walkways that are adjacent to private property, and the maintenance of the fencing thereon or attached thereto, shall be entirely at the expense of the adjacent owner(s) unless a cost-sharing arrangement is established between the adjacent property owner(s) and the Town.

**Section 14 – Stripping, Excavation and Grading**

- 14.1 For the purpose of this bylaw, excavation shall mean excavation other than for construction or building purposes including, but not limited to, sand and gravel mining, topsoil stripping, removing trees and construction of artificial bodies of water.
- 14.2 An applicant for a development permit for the excavation, stripping or grading of land, which is proposed without any other development on the same land, shall include with his or her application all of the following information:
- a) location of the lot, including the municipal address, if any, and legal description;
  - b) the area of the lot on which the excavation, stripping or grading is proposed;
  - c) the type and purpose of the excavation, stripping or grading proposed, showing the dimensions of the operation and/or the area of the land and depth to which the topsoil is to be removed;
  - d) location on the lot where the excavation, stripping or grading is to take place;
  - e) the condition in which the excavation, stripping or grading is to be left when the operation is complete and the use of the area from which the topsoil is removed.
- 14.3 Where, in the process of development, areas require leveling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and then replaced following the completion of the work. The affected area shall be graded and landscaped to the satisfaction of the Development Authority.
- 14.4 Where significant excavation and fill is proposed, the Development Authority may require that same be conducted in accordance with engineered plans bearing the seal and signature of a professional engineer registered in the Province of Alberta.

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- 14.5 As a condition of a development permit, the Development Authority may require that the developer provide financial guarantees, in a form acceptable to the Town, up to the value of the estimated cost of all or any proposed work/activities, including final grading and landscaping to ensure that same is carried out with reasonable diligence.

Section 15 - Objects Prohibited or Restricted in Yards

- 15.1 No person shall keep or permit in any part of a lot in a residential land use district:
- a) a motor vehicle other than a passenger vehicle or a commercial vehicle of a net weight less than 2,722 kg (3 tons) parked/stored on a lot for longer than is necessary for loading or unloading;
  - b) notwithstanding Section 14(1)(a), on a developed residential lot, recreation vehicles, along with other recreation equipment and construction trailers may be parked/stored in a rear yard, side yard or front yard provided such vehicles and equipment:
    - i. are, in the case of a front yard, located on a driveway or other approved parking surface and not closer than 1.52 (5 ft) from the interior edge of the sidewalk or, where no sidewalk exists, from the curb;
    - ii. are not closer than 2.44 m (8.0 ft) from a window of a habitable room on the ground floor of a dwelling on an adjacent lot;
    - iii. do not interfere with safe traffic sight lines in relation to a fronting or flanking street or a rear lane;
    - iv. are not used as a permanent or temporary dwelling or form of accommodation.
  - c) notwithstanding Section 14(1)(a), on an undeveloped (vacant) residential lot, a single recreation vehicle or construction trailer may be parked/stored provided it:
    - i. is owned by the registered owner of the undeveloped (vacant) lot with the means of verifying recreation vehicle ownership as determined by the Development Authority (ie. producing a valid vehicle registration issued by the appropriate vehicle licensing authority).
    - ii. is not closer than 1.52 m (5.0 ft) from the interior edge of the sidewalk or, where no sidewalk exists, from the curb;
    - iii. is not closer than 2.44 m (8.0 ft) from a window of a habitable room on the ground floor of a dwelling on an adjacent lot;
    - iv. does not interfere with safe traffic sight lines in relation to a fronting or flanking street or a rear lane; and
    - v. is not used as a permanent or temporary dwelling or form of accommodation.
  - d) any dismantled or wrecked vehicle which, for the purposes of this section means any kind of motorized vehicle, recreation vehicle or recreation equipment which is or has been rendered inoperable or where some or all of its parts or components have been removed or stripped away.
  - e) any object chattel which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district.
  - f) any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work;
  - g) television satellite dishes where, in the opinion of the Development Authority, they would create a disturbance, nuisance or other undue effect on adjacent landowners or the aesthetic appearance of the surrounding area.
- 15.2 In the Commercial Town Centre District (C-1), whether the lot is developed or undeveloped, recreational vehicles cannot be used as a permanent or temporary dwelling or form of accommodation.

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- 15.3 In the Commercial Services and Light Industrial Mix districts (CM), whether the lot is developed or undeveloped, recreational vehicles and construction trailers cannot be used as a permanent or temporary dwelling or form of accommodation.
- 15.4 While appropriate lighting of residential buildings may be required to provide security and add visual interest, the exterior lighting shall be located so that rays of light:
- a) are not directed at an adjacent site;
  - b) do not adversely affect an adjacent site; and
  - c) do not adversely affect traffic safety.

**AMENDED** <sup>add</sup> s. 16.1(c)  
Bylaw No. 821  
Date 2017/01/11

**PART 7 - ENFORCEMENT**

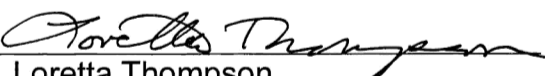
- 16.1. A person who contravenes, breaches or fails to comply with this bylaw is guilty of an offence and is liable to a fine in the amount of:
- a) \$250.00 for the first offence; and
  - b) \$500.00 for the second and subsequent offences.
- 16.2 Should any provision of Bylaw No. 797 be determined to be invalid, then such provisions shall be severed and the remaining provisions by Bylaw No. 797 shall be maintained.
- 16.3 This bylaw shall come into full force and effect upon final reading thereof.

**PART 8 – BYLAWS TO BE REPEALED**

- 17.1 The following bylaws are hereby repealed:
- a) Noise Bylaw Nos. 462 and 462-1;
  - b) Untidy and Unsanitary Premises Bylaw No. 480;
  - c) Cutting Trees Bylaw No. 500;
  - d) Public Behaviour Bylaw No. 664; and
  - e) Bylaw No. 731 to Amend to the Land Use Bylaw, Section 8.17.

READ a first time this twenty-fifth day of November, 2015  
READ a second time this tenth day of February, 2016  
READ a third and final time this tenth day of February, 2016

  
\_\_\_\_\_  
Herb Castle  
Mayor

  
\_\_\_\_\_  
Loretta Thompson  
Chief Administrative Officer