

TOWN OF CORONATION BYLAW NO. 2019 - 670
COMMUNITY STANDARDS BYLAW

Being a bylaw of the Town of Coronation, in the Province of Alberta, to prohibit certain activities in order to prevent and compel the abatement of noise, nuisances, unsightly premises and public disturbances;

COUNCIL OF THE TOWN OF CORONATION ENACTS AS FOLLOWS:

1. This Bylaw shall be called the “Community Standards Bylaw”.
2. In this Bylaw, the following definitions shall apply:
 - (1) “**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;
 - (2) “**Bullying**” means the harassment of others by the real or threatened infliction of physical violence and attacks, racially or ethnically-based verbal abuse and gender-based put-downs, verbal taunts, name calling and put-downs, written or electronically transmitted, or emotional abuse, extortion or stealing of money and possessions, hazing, and social out-casting.
 - (3) “**Development Officer**” means the person appointed by the Council of the Town of Coronation or a designate as appointed by the Town Manager.
 - (4) “**Graffiti**” means the defacement or disfigurement of any property or object, through the performance of any of the following acts:
 - (a) the application of any substance, including paint, ink, stain or whitewash to any surface; or
 - (b) the affixing of any substance, including paper, fabric or plastic, by any form of adhesion that does not remove cleanly when pulled away from the applied surface; or
 - (c) the marking, scratching, etching or other alteration or disfigurement of any surface.
 - (5) “**Minor**” means an individual under 18 years of age.

(6) **“Panhandling”** shall mean the personal, verbal and direct solicitation by a person of gratuitous donations of money, food or goods of any kind, or the exchange of money, food or goods, or an unsolicited service for money of any kind from any member of the public, but does not include a solicitation allowed or authorized pursuant to the Charitable Fundraising Act, or any other legislation permitting the solicitation of charitable donations.

(7) **“Public Place”** means any place, including privately owned or leased property, to which the public reasonably has or is permitted to have access, whether on payment or otherwise, within the corporate limits of the Town of Coronation, including schools, recreational facilities, public parks and sports grounds.

(8) **“Youth”** means an individual 12 to 17 years of age;

Part 1 – Noise

3. (1) No person shall cause or permit any noise that annoys or disturbs the peace of any other person.

(2) No person shall permit property that they own or control to be used so that noise from the property annoys or disturbs the peace of any other person.

(3) No person shall yell, scream, or swear in any public place.

(4) In determining what constitutes noise likely to annoy or disturb the peace of other persons, consideration may be given, but is not limited to:

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

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

(c) nature and use of the surrounding area.

(5) No drinking establishment shall permit any noise to emanate from the premises of such drinking establishment such that it annoys or disturbs any person outside the boundary of the drinking establishment. Section 3 (4) of this Bylaw applies to this provision.

4. Where an area is designated by signs or other means as being a Hospital District, no person shall:

(1) carry on any noise-making activity in the area unless it cannot be carried on in some other area; or

- (2) make or continue any noise or loud sound within the area.
5. No person may activate or apply engine retarder brakes in the Town of Coronation except Town of Coronation Emergency Services Vehicles in the course of responding to an emergency situation or to train drivers in the use of retarder brakes.

Industrial/Construction Noise

6. Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
 - (1) is a permitted use; or
 - (2) is an approved discretionary use; or
 - (3) is a non-conforming, but not illegal, use as defined in the *Municipal Government Act*.
 - (4) In the operation or carrying on of an industrial activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.
7. With the exception of the activities referred to in section 6 herein, unless permission from the Development Authority is first obtained, no person shall use, operate or allow to be used or operated any tool, machinery or equipment so as to create a noise, or disturbance which may be heard in a residential building between the hours of ten o'clock in the evening and seven o'clock in the morning of any day.
 - (1) No person shall allow the diesel motor on a vehicle to remain running longer than fifteen minutes while the vehicle is not in motion in any residential district or zone or in any other location within five hundred feet of a residential zone.

Exceptions

8. These provisions do not apply to work carried on by the Town, or by a contractor carrying out the instruction of the Town.
9. These provisions do not apply to contractors carrying out snow removal from commercial or industrial sites which are not adjacent to residential districts.

10. In the case of snow removal from commercial or industrial sites located adjacent to residential districts, and where in the reasonable opinion of the Development Authority it is necessary to do so to ensure the peace and quiet of residents, the Development Authority may require noise abatement practices including one or both of the following conditions:

- (1) a requirement that snow not be removed between 12:00a.m. and 6:00 a.m.
- (2) a requirement that snow be removed from a site in a sequence which is least disruptive to the peace and quiet of residents.

Part 2 – Nuisance, Unsightly Premises, Graffiti

11. “Nuisance” for the purpose of this bylaw includes any use of or activity upon any property which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighbourhood, and without limiting the generality of the foregoing, includes the following:

- (1) the failure to cut grass, weeds, shrubs, trees or other landscaping features incidental to a landscaped area and adjacent boulevards;
- (2) the failure to maintain grass, weeds, shrubs, trees or other landscaping features incidental to an approved landscaped area in a commercial, industrial, institutional, government or multifamily development;
- (3) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds;
- (4) the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or sidewalk roadway clearance;
- (5) the accumulation of any material that creates unpleasant odours, any material that attracts pests or any animal remains, parts of animal remains or animal feces;
- (6) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, loose garbage, rubbish, packaging material, scrap metals, scrap lumber, tires, parts of disassembled machinery, equipment or appliances and motor vehicle parts;
- (7) the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period in excess of 6 minutes in any one

hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council;

- (8) the generation of excessive dust and permitting such dust to escape from the property;
 - (9) the use of any pesticide or herbicide which is not available to the general public and has significant detrimental or environmental effects on surrounding areas;
 - (10) the failure to control or eliminate insect pests harmful to the growth and development of trees and shrubs or any vegetable or plant life;
 - (11) the storage or accumulation of dilapidated or derelict vehicles or the storage of unregistered vehicles in excess of one vehicle on any residential or commercial site except vehicles that are stored in an approved accessory or temporary building, Industrial sites may store more than two vehicles provided that they are stored in a neat manner as approved by the development officer;
 - (12) the failure to maintain an accessory building, structure or fence such that it deteriorates, becomes unsightly or becomes a safety hazard;
 - (13) the failure to fence or secure an excavation, drain, ditch or other depression so that it does not become a danger to public safety;
 - (14) 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;
 - (15) Burning anything other than dry untreated clean wood in a residential wood fireplace.
12. No person being the owner, agent of the owner, lessee or occupier of any property within the Town shall permit such property, or the activities upon such property to be or remain a nuisance or safety hazard.

Graffiti

13. (1) No person shall place graffiti or cause it to be placed on any property.
- (2) Every property owner shall ensure that graffiti placed on their premises is removed, painted over, or otherwise permanently blocked from public view.

- (3) A property owner, who breaches the provisions of Section 13(b) where, following the issuance of and failure to comply with an Order under section 545 of the Municipal Government Act, shall liable to payment of a penalty as prescribed in Schedule "A".
- (4) In prosecuting for an offence under this Part, the consent of the property owner of any premises to place graffiti shall not be a defence under this bylaw.

Construction Waste

14. Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site. No loose construction material is to be stored or accumulated on a construction site unless it is not capable of being blown around the construction area.

Repair of Motor Vehicles

15. A person may conduct repair work on motor vehicles, including repairs, auto body work, frame repair, collision repair, auto painting, auto detailing or modifications to the body or rebuilding of a motor vehicle, on any site in a residential district provided that.
 - (a) the work is done in a garage that is capable of having the doors and windows closed;
 - (b) the activity does not create a nuisance or noise complaints from neighbourhood;
 - (c) there is no escape of offensive, annoying or noxious odors, fumes or smoke from the site;
 - (d) 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;
 - (e) all discarded vehicle parts and materials are properly stored and disposed of from the site;
 - (f) no power washing of motor or power train is performed on the site;
 - (g) all building and fire code regulations are met;
 - (h) The owner or renter of the property is the owner of the Vehicle.

Snow and Ice on Sidewalks

16. An owner of a premises shall ensure:

- (1) The removal from any sidewalk located adjacent to the premises, including private driveway crossings, all snow and ice deposited thereon, whether from natural or unnatural means, within 48 hours of such deposit, or within 48 hours of the issuance of a Snow Removal Notice in respect of the premises.
 - i. For the purposes of Section 16 (1), snow and ice will be considered removed when the sidewalk is cleaned for the entire width of sidewalk to the sidewalk surface as completely as reasonably possible.
 - ii. For the purpose of Section 16 (1), in the case of a sidewalk being below grade resulting in repeated coverage by ice or water through drainage or melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible and a non-slip, non-corrosive and salt-free material such as sand or similar material must be scattered on the surface of the sidewalk as frequently as required to maximize traction for pedestrians. The sidewalk condition must be communicated to the Chief Administrative Officer, so it can be added to the list of sidewalk improvements and dealt with accordingly.
 - iii. For the purpose of Section 16 (1), where an owner or occupant of a premises reasonably anticipates being absent, the owner or occupant must make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw.
- (2) No person shall deposit, or in any way cause to be deposited upon any public highway, road, alley, pathway or sidewalk, any snow or ice or dirt.
 - i. Notwithstanding Section 16 (2), snow and ice from public sidewalks in the downtown commercial area may be deposited onto the adjacent street if the front of the building abuts the sidewalk, and if there is no alternate privately-owned area adjacent to the building upon which to place the snow, but any ice or snow from the rest of the parcel shall not be placed on the roadway.
- (3) No person shall deposit, or in any way cause to be deposited, any snow or ice upon any drainage ditch, culvert end, storm sewer grate or catch basin.
- (4) No person shall deposit or in any way cause to be deposited, any snow or ice on any fire hydrant or on the area adjacent to a fire hydrant which in any way blocks access to, or prevents operation of, or restricts visibility of the hydrant.

Boulevards

17. A person shall maintain any boulevard adjacent to land they own or occupy by:
- (1) Keeping any grass on the boulevard cut to a reasonable length; and
 - (2) Removing any accumulation of fallen leaves or other debris.

Nuisance Enforcement

18. (1) The Development/Bylaw Officer may, after giving reasonable notice to the owner or occupier of the premises, enter upon the said premises and carry out an inspection.
- (2) Upon completion of the inspection, the Inspections & Licensing Manager may direct the owner or occupant of the property to:
- (b) cease the activity which causes the nuisance;
 - (c) change the way in which such person is carrying out any activity;
 - (d) direct any person to take any action or measure necessary to compel the elimination or abatement of the nuisance, including:
 1. the removal of any thing or matter from the property, which constitutes the nuisance; and
 2. the construction or installation of a garbage bin or enclosure or the repair of an existing garbage enclosure;
 3. enter into a cleanliness agreement in a form to the satisfaction of the Development/Bylaw Officer
 - (e) specify the time within which such person must comply with the directions contained in the notice; and
 - (f) notify the owner or occupant that, if compliance with the notice is not effected within a specified time, the municipality will take the actions or measures specified in the notice to abate the nuisance, at the expense of the owner or occupier;

- (g) offer the owner or occupant of the property an opportunity to enter into any other voluntary agreement with the Town to keep the premises clean, tidy and free of nuisances

(3) Any person who refuses to allow an inspection of the premises under Section 18(1) is guilty of an offence.

(4) Any person who fails to comply with a direction made under Section 18(2) is guilty of an offence.

19. No person shall cause or permit or undertake any activity upon any Town property which is a nuisance.

Littering

20. No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Town property, including any street, lane, sidewalk, parking lot, park, public transportation vehicle, public transportation shelter, or other public transportation facility or other public place or water course:

(1) a cardboard or wooden box, carton, container, or receptacle of any kind;

(a) a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionery;

(b) paper of any kind, whether or not containing written or printed matter thereon;

(c) any human, animal or vegetable matter or waste;

(d) any glass, crockery, nails, tacks, barbed-wire or other breakable or sharp objects;

(e) scrap metal, scrap lumber, tires, dismantled wrecked or dilapidated motor vehicles or parts there from;

(f) any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, alley, bi-way or other public place;

(g) dirt, filth or rubbish of any kind whether similar or dissimilar to the foregoing

- (2) A person who has placed, deposited or thrown or caused to be placed or thrown anything or any matter mentioned in subsection (1) upon any street, lane, sidewalk, parking place, park, public transportation vehicle, public transportation shelter, or other public transportation facility or other public place or water course shall forthwith remove it.

Spitting/Urinating/ Human and Animal Waste

21. (1) No person shall urinate or deposit any human waste in any public place or in any place to which the public is allowed access, other than a public washroom.
- (2) No person shall spit at any person or on any public or private property that they do not own.
- (3) No person shall allow their pet (cat/dog) to defecate on public or private property that is not their own.
 - (a) A person who has allowed their cat or dog to defecate on property other than their own shall forthwith remove it.

Flyers on Vehicles

22. No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into any motor vehicle, which is parked on any street, lane, parking lot or other public place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority

Authority to Remove

23. The Development/Bylaw Officer may authorize any Town employee, or other person, to remove and put in storage or destroy anything placed upon Town property in contravention of this bylaw.

Part 3 – Fighting, Loitering, Panhandling, Assembly of Persons,

Fighting/Loitering

24. No person shall participate in a fight or any physical confrontation in any public place or any place to which the public is allowed access.
25. No person shall be a member of an assembly of three or more persons in any public place or any place to which the public is allowed access where a peace officer has

reasonable grounds to believe the assembly will disturb the peace of the neighbourhood, and any such person shall disperse as requested by a peace officer.

26. No person shall loiter and thereby obstruct any other person in any public place.

Bullying

27. No Person shall, in any public place:

- (1) Communicate either directly or indirectly, with any person in a way that causes the person, reasonably in all the circumstances, to feel bullied.
- (2) No person shall bully another person through written or electronic communication.
- (3) No person shall video, record, photograph or distribute any video, recording or photograph of any person involved in bullying for any purpose other than documenting the breach of this bylaw or other law applicable in the Province of Alberta.
- (4) While not taking part in any action described in Section 26 (1), (2) or (3), encourage or cheer on any person described in Section 26 (1), (2) or (3).

Panhandling

28. No person shall engage in panhandling:

- (1) between the hours of 6:00 p.m. and 8:00 a.m.;
- (2) from any person who at the time is an occupant or engaged in operating a motor vehicle;
- (3) from a person who has refused or declined the solicitation;
- (4) so as to obstruct the passage of, walk next to, or follow the person being solicited;
- (5) within 10 meters of the entrance to a bank, credit union, trust company or other financial institution where cash can be withdrawn;
- (6) within 10 meters of an automated teller machine or other device from which cash can be electronically accessed.

Part 4 - Penalties

29. Any person who breaches any section of this Bylaw is guilty of an offence and liable to:
- (1) payment of the penalty specified in Schedule "A" hereto; or
 - (2) for any offence for which there is no penalty specified, to a penalty of not less than \$200.00 and not more than \$10,000.00; and in default of payment of any penalty, to imprisonment for up to 6 months; or
 - (3) The Town may cause such work to be done as to remedy a breach of this bylaw and charge the costs of such work to the tax account of the owner of the premises on which the breach occurred.
30. A Peace Officer, Development/Bylaw Officer is hereby authorized and empowered to issue a violation ticket pursuant to the Provincial Offences Procedure Act to any person who the Peace Officer, Development/Bylaw Officer has reasonable grounds to believe has contravened any provision of this bylaw.
31. 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
32. A person who commits an offence may:
- (a) If a violation ticket is issued in respect of an offence; and
 - (b) If the violation ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the Provincial Court Office specified on the violation ticket.

Severability

- 33. The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.
- 34. Bylaw No. 2019-664 is repealed at the passing of Bylaw 2019-670.

READ A FIRST TIME IN OPEN COUNCIL THIS 27th DAY OF MAY, 2019

READ A SECOND TIME IN OPEN COUNCIL THIS 27th DAY OF MAY, 2019

READ A THIRD AND FINAL TIME IN OPEN COUNCIL THIS 10th DAY OF JUNE, 2019

Mayor

Chief Administrative Officer

Schedule "A"
Schedule of Fines

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Make noise	3(1)	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Permit Noise	3(2)	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Yelling, screaming or swearing	3(3)	150.00
a) second offence within 1 year		250.00
b) third and subsequent offences within 1 year		500.00
Drinking Establishment making noise	3(5)	2,000.00
b) second offence within 1 year		5,000.00
c) third and subsequent offences within 1 year		10,000.00
Noise in hospital district	4	150.00
a) second offence within 1 year		250.00
b) third and subsequent offences within 1 year		500.00
Activating engine retarder brakes	5	250.00
Industrial or construction noises	6 or 7	150.00
a) second offence within 1 year		300.00
b) third and subsequent offences within 1 year		600.00
Permitting a nuisance on Private Property	12	200.00
a) second offence within 1 year		400.00
b) third and subsequent offences within 1 year		600.00
c) The Town may with written notice of fifteen (15) days enter onto private property for the purpose of cleaning up the nuisance and all cost will be charged to the private Individual's tax roll.		
Placing Graffiti on property	13(1)	2,500.00
a) a second offence within 1 year		5,000.00
b) third and subsequent offences within 1 year		7,500.00

Schedule "A"
Schedule of Fines

Failure to remove Graffiti	13(2)	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		1,000.00
 Failure to comply with Graffiti order	 13(3)	 250.00
	for each day that the breach continues	
 Failing to contain construction waste	 14	 250.00
a) second offence within 1 year		500.00
b) third and subsequent offences		1,000.00
 Automobile repairs in residential district	 15	 250.00
a) second offence within 1 year		400.00
b) third and subsequent offences within 1 year		600.00
 Failure to remove snow/ ice from any sidewalk	 16 (1)	 50.00
a) second offence within 1 year		100.00
b) third and subsequent offences within 1 year		200.00
 Depositing snow or ice upon any public property	 16 (2) (3) (4)	 250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		1,000.00
 Failure to maintain boulevard	 17	 50.00
a) second offence within 1 year		100.00
b) third and subsequent offences within 1 year		200.00
 Refusing to allow the Development/Bylaw Officer access to carry out an inspection	 18(3)	 500.00
 Failing to comply with order of Development/ Bylaw Officer	 18(4)	 500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
 Nuisance upon Town property	 19	 500.00
 Depositing litter on Town property	 20(1)	 500.00

a) second offence within 1 year	750.00
b) third and subsequent offences within 1 year	1,000.00

Schedule "A"
Schedule of Fines

Failing to remove litter	20(2)	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Urinating or depositing human or Animal waste in a public place	21(1) & 21(3)	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Spitting	21(2)	75.00
a) second and subsequent offences		150.00
Placing item on motor vehicle	22	250.00
Fighting in a public place	24	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Being a member of an assembly and failing to disperse as requested by peace officer	25	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Loitering	26	
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Bullying		
a) first offence *	27 (1) (2) (3)	250.00
b) second and subsequent offences		1,000.00
c) first offence *	27 (4)	125.00
d) second and subsequent offences		500.00

* The fine for the first offence may be reduced by one half if the offender successfully completes an anti-bullying educational program approved by the RCMP.

Panhandling	28	75.00
a) second offence		200.00
b) third and subsequent offences		500.00