



**TOWN OF CORONATION
BYLAW NO. 2021 - 680**

COMMUNITY STANDARDS BYLAW

**BEING A BYLAW OF THE TOWN OF CORONATION, IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF REGULATING NUISANCE, SAFETY AND LIVABILITY ISSUES**

WHEREAS, pursuant to section 7 of the *Municipal Government Act* a council may pass bylaws for municipal purposes respecting the following matters:

- a) the safety, health and welfare of people and the protection of people and property;
- b) people, activities and things in, on or near a public place or place that is open to the public;
- c) nuisances, including unsightly property; and
- d) the enforcement of bylaws;

AND WHEREAS, pursuant to section 66(2) of the *Safety Codes Act*, a council may make bylaws respecting the following matters:

- a) minimum maintenance standards for buildings and structures; and
- b) unsightly or derelict buildings or structures;

AND WHEREAS, Council deems it advisable to pass a Bylaw to regulate community standards;

NOW THEREFORE, the Council of the Town of Coronation, duly assembled, enacts as follows:

PART 1 - TITLE, DEFINITIONS AND INTERPRETATION

1. Short Title

1.1 This Bylaw may be cited as the "Community Standards Bylaw".

2. Definitions

2.1 In this Bylaw:

- (a) "Boulevard" has the same meaning as in the *Traffic Safety Act*;
- (b) "Chief Administrative Officer" means the chief administrative officer of the Town or their delegate;
- (c) "Composting" means the managed practice of recycling organic material, including food and yard waste, through biological degradation in a container or pile, to create a usable soil conditioner;
- (d) "Council" means the Council of the Town;
- (e) "Motor Vehicle" has the same meaning as in the *Traffic Safety Act*;

- (f) "Municipal Tag" means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution of the offence;
- (g) "Occupant" means any Person residing on or to be in apparent possession or control of Property or a Structure, including but not limited to a lessee;
- (h) "Owner" means:
 - (i) in the case of land, to be registered under the *Land Titles Act* as the owner of the fee simple estate in a parcel of land; or
 - (ii) in the case of personal property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;
- (i) "Peace Officer" has the same meaning as in the *Provincial Offences Procedure Act*;
- (j) "Person" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (k) "Property" means a parcel of land including any Structure;
- (l) "Public Place" means any Property, whether publicly or privately owned, to which members of the public have access as of right, or by express or implied invitation, whether on payment of any fee or not;
- (m) "Reasonable State of Repair" means the condition of being:
 - (i) structurally sound;
 - (ii) free from significant physical or aesthetic damage;
 - (iii) free from rot or other deterioration; and
 - (iv) safe for its intended use;
- (n) "Recreational Vehicle" includes, but is not limited to, any trailer, watercraft, off-road vehicle, motor home, travel trailer, tent trailer, fifth wheel trailer, camper when not mounted on a truck but placed on the ground or a stand, or any similar vehicles, regardless of whether it is capable of being transported, driven or drawn on a highway;
- (o) "Sidewalk" has the same meaning as in the *Traffic Safety Act*;
- (p) "Structure" means any form of physical construction, whether built on site or moved in, including but not limited to any building, fence, retaining wall, scaffolding, shed, portable shack, or other similar types of construction or improvements;
- (q) "Town" means the municipal corporation of the Town of Coronation;
- (r) "Vehicle" has the same meaning as in the *Traffic Safety Act*; and
- (s) "Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act*.

3. Rules of Interpretation

- 3.1 Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or licence.
- 3.2 The headings in this Bylaw are for guidance purposes and convenience only.
- 3.3 Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 3.4 Any reference to the provisions of a statute of Alberta is a reference to that statute as amended, from time to time.

PART 2 - PROPERTY MAINTENANCE

4. Nuisance on Property

- 4.1 No Owner or Occupant shall cause or permit a nuisance to exist on their Property.
- 4.2 For the purpose of greater certainty, a nuisance includes Property that shows sign of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, examples of which include:
 - (a) excessive accumulation of material including but not limited to building materials, appliances, household goods, boxes, tires, Vehicle parts, garbage, refuse, litter, or similar debris of any form whether a solid or liquid, and whether of any apparent value or not;
 - (b) open or exposed storage of any industrial fluid, including but not limited to engine oil, brake fluid, anti-freeze or hydraulic fluid;
 - (c) any loose garbage, refuse, litter, flyers, papers or similar debris of any form whether located in a storage area, collection area or elsewhere on the land;
 - (d) any loose building or construction materials, any accumulation of construction-related garbage, refuse, litter, or similar debris of any form, or any untidy work or storage areas on the land;
 - (e) the presence or accumulation of animal carcasses, domestic animal feces, or animal parts;
 - (f) the failure to dispose of garbage or other waste products accumulating in temporary storage containers within a reasonable time;
 - (g) damaged, dismantled, derelict, or inoperable Vehicles, Recreational Vehicles, or Motor Vehicles, whether insured or registered or not;
 - (h) any Structure, Motor Vehicle, Vehicle or Recreational Vehicle displaying graffiti that is visible from any surrounding Property;

- (i) smelly or messy compost heaps;
- (j) production of any offensive odours;
- (k) unkempt grass higher than fifteen (15) centimetres;
- (l) excessive weeds, including but not limited to noxious and prohibited weeds as defined in the *Weed Control Act*;
- (m) production of excessive dust, dirt or smoke;
- (n) any tree, shrub, other type of vegetation or any Structure that:
 - i. interferes or could interfere with any public work or utility;
 - ii. obstructs any Sidewalk adjacent to the land;
 - iii. impairs visibility required for safe traffic flow at any intersection adjacent to the land; or
 - iv. has any rot or other deterioration;
- (o) any accessible excavation, ditch, drain or standing water that could pose a danger to the public;
- (p) an infestation of rodents, vermin or insects; or
- (q) failure to keep Property in a Reasonable State of Repair including but not limited to:
 - i. the significant deterioration of a Structure or portion a Structure;
 - ii. broken or missing windows, doors, stairs, landings, balconies, patios, fences, siding, shingles, shutters, eaves or other building material; and
 - iii. significant fading, chipping, peeling, rotting or absence of paint on areas of a Structure or signage located on the Property.

5. Water, Eavestroughs and Downspouts

- 5.1 No Owner or Occupant of a Property shall cause or permit a flow of water from a hose or similar device, downspout or eavestrough to be directed so as to discharge onto abutting Property or be a hazard to any Person or any other Property.

6. Outdoor Lighting

- 6.1 No Owner or Occupant shall allow outdoor lighting on their Property to shine in a manner that:
- (a) disturbs the peace of another individual;
 - (b) unreasonably affects the use or enjoyment of another Property; or

- (c) interferes with traffic safety on any roadway.

7. Maintenance of Boulevards

- 7.1 Every Owner or Occupant of a Property shall maintain any Boulevard adjacent to that property by:
- (a) keeping any grass cut to a length of no more than fifteen (15) centimetres;
 - (b) eradicating all noxious or prohibited weeds; and
 - (c) removing any accumulation of fallen leaves or other debris.

8. Compost Sites

- 8.1 No Owner or Occupant of a Property shall place or allow to be placed cat feces, dog feces, animal parts or animal meat on a Composting pile or in a Composting container on the Property.
- 8.2 No Owner or Occupant of a Property shall allow an open Composting pile on the Property within three (3) metres of an adjacent dwelling house, measured from the nearest part of the open Composting pile to the nearest part of the adjacent dwelling house.

9. Construction Sites and Outdoor Storage of Building Materials

- 9.1 No Owner or Occupant shall place, cause or permit to be placed building materials, whether new or used, on their Property unless they can establish that a construction or renovation undertaking is being carried out on the Property and that:
- (a) the project has begun or the beginning of work is imminent;
 - (b) the building materials on the Property relate to the project taking place on the Property and are of a quantity reasonable to complete the project; and
 - (c) the work on the project has not been suspended for a period in excess of one-hundred and twenty (120) days.
- 9.2 An Owner or Occupant of a Property shall ensure that all building materials are stacked and stored in an orderly manner and in such a manner as to prevent the materials from being blown off or scattered from the Property.
- 9.3 During active construction, disposal of building material shall be done in accordance with the building permit and shall be collected and hauled from the site in appropriate containers in a timely manner.
- 9.4 Storage of building material must be located entirely on the Property where the construction is underway.
- 9.5 Notwithstanding anything else contained in this Bylaw, it shall not be an offence for an Owner or Occupant of a Property to store a small amount of neatly stacked building materials on a Property for basic property maintenance.

10. Recreational Vehicles

10.1 No Owner or Occupant of a Property shall cause or permit a Recreational Vehicle to be parked or stored on private Property in a residential district as designated in the Land Use Bylaw:

- (a) on any portion of a front yard except on an approved driveway or parking pad;
- (b) parked other than parallel to the sides of a driveway;
- (c) parked in a manner that, in the opinion of a Peace Officer, impairs the line of sight for Motor Vehicle or pedestrian traffic to the point where it constitutes an unsafe or hazardous condition, or it constitutes any traffic or public safety hazard;
or
- (d) parked so as to encroach onto a Sidewalk, curb, or roadway.

10.2 For the purpose of section 10.1(a), an area is not considered paved if only the areas under the tires are paved.

11. Graffiti

11.1 No Person shall place or cause to be placed graffiti on any Property.

11.2 Every Owner or Occupant of a Property shall ensure that graffiti placed thereon is removed, painted over, or otherwise permanently blocked from public view within fourteen (14) days of the graffiti being placed on the Property.

12. Abandoned Buildings

12.1 If, in the opinion of a Peace Officer, a building shows signs of abandonment, the building shall be secured by the Owner in such a manner as to prevent unauthorized access.

12.2 For the purposes of section 12.1, if the building is not secured by means of maintaining all doors, windows and locks in a sound and operational condition then any door or window opening in the building shall be covered with a solid piece of wood, but only if the wood is:

- (a) installed from the exterior and fitted within the frame of the opening in a watertight manner;
- (b) of a thickness sufficient to prevent unauthorized entry into the building;
- (c) secured in a manner sufficient to prevent unauthorized entry into the building;
and
- (d) coated with an opaque protective finish matching the exterior of the building.

PART 3 - PUBLIC BEHAVIOURS AND NOISE

13. Noise Control

13.1 No Person shall cause or permit any noise that, in the opinion of a Peace Officer, having regard for the circumstances, annoys or disturbs the peace of any reasonable Person.

- 13.2 In determining what constitutes noise likely to annoy or disturb the peace of any reasonable Person, consideration may be given to:
- (a) type, volume, and duration of the noise;
 - (b) time of day and day of the week;
 - (c) nature and use of the surrounding area; and
 - (d) any other factor that, in the opinion of the Peace Officer, is relevant to the determination of whether the noise constitutes a disturbance.
- 13.3 No Person shall advertise events or merchandise by ringing bells or by use of mechanical, electrical or sound amplification devices in a residential district as designated in the Land Use Bylaw between the hours of 9:00 p.m. and 8:00 a.m.
- 13.4 No Owner or Occupant of a Property in a residential district as designated in the Land Use Bylaw shall cause or permit any construction activity on the Property which creates a noise that annoys or disturbs the peace of any other Person:
- (a) before 8:00 a.m. or after 9:00 p.m. Monday through Saturday; or
 - (b) before 9:00 a.m. or after 9:00 p.m. on a Sunday or holiday.
- 13.5 The Chief Administrative Officer may issue a permit, on whatever conditions the Chief Administrative Officer considers appropriate, authorizing the production of noise in a manner, or of a type, that would otherwise contravene section 13.
- 13.6 Nothing in section 13 prohibits:
- (a) an employee or authorized agent of the Town from producing noise while acting within the scope of their functions, duties or powers;
 - (b) the production of noise in accordance with a permit granted pursuant to section 13.5; or
 - (c) any activity that is carried out in accordance with the conditions of a validly issued development permit issued by the Town or an activity that constitutes a legal non-conforming use for which no development permit is required pursuant to the provisions of the *Municipal Government Act*.

14. Placards and Posters

- 14.1 No Person shall place, post, or erect, or cause, permit, or allow to be posted or exhibited, any sign, placard, poster, writing, or picture on any wall, Property, fence, park, or land owned by the Town without prior written permission from the Town.

15. Littering

- 15.1 No Person shall place, cause or permit any refuse, litter or similar debris of any form in a Public Place except in a receptacle designated and intended for such use.

PART 4 - ENFORCEMENT

16. Inspections

- 16.1 A designated officer, for the purposes of ensuring that the provisions of this Bylaw are being complied with, may, upon reasonable notice, enter in or upon a Property, in accordance with section 542 of the *Municipal Government Act*, to carry out an inspection.

17. Vicarious Liability

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

18. Corporations and Partnerships

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

19. Offences and Penalties

- 19.1 A Person who contravenes any provision of this Bylaw is guilty of an offence.
- 19.2 A Person who is guilty of an offence is liable to a fine in an amount not less than that established in Schedule "A" and not exceeding \$10,000.00.
- 19.3 Without restricting the generality of section 19.2, the fine amounts set out in Schedule "A" are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.
- 19.4 A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 19.5 A Municipal Tag shall be served:
- a) either personally; or
 - b) by mailing a copy, via registered mail, to such Person at their last known postal address.

19.6 A Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:

- a) the name of the Person;
- b) a description of the Property upon which the offence has been committed, if applicable;
- c) the offence;
- d) the specified penalty established by this Bylaw for the offence;
- e) that the penalty shall be paid within 30 days of the issuance of the Municipal Tag; and
- f) any other information as may be required by the Chief Administrative Officer.

19.7 Where a Municipal Tag is issued pursuant to this Bylaw, the Person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified within the time period indicated on the Municipal Tag.

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

19.9 Notwithstanding section 19.8, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

19.10 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.

19.11 A Person who commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence; and
- (b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

19.12 When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to section 19.11 and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

19.13 Nothing in this Bylaw shall be construed to limit or hinder the ability of the Town to issue an order pursuant to section 545, 546 or 645 of the *Municipal Government Act*.

20. Continuing Offences

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

PART 5 - GENERAL

21. Powers of the Chief Administrative Officer

21.1 Without restricting any other power, duty or function granted by this Bylaw, the Chief Administrative Officer may:

- (a) carry out any inspections to determine compliance with this Bylaw;
- (b) take any steps or carry out any actions required to enforce this Bylaw;
- (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (d) take actions or measures under section 551 of the *Municipal Government Act*;
- (e) establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of property and such procedures may differ depending on the type of property in question;
- (f) establish areas where activities restricted by this Bylaw are permitted;
- (g) establish forms for the purposes of this Bylaw;
- (h) issue permits with such terms and conditions as are deemed appropriate;
- (i) establish the criteria to be met for a permit pursuant to this Bylaw; and
- (j) delegate any powers, duties or functions under this Bylaw to an employee of the Town.

PART 6 - TRANSITIONAL

22. Enactment

22.1 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.


22.2 This Bylaw repeals and replaces the Community Standards Bylaw No. 2019-670.

READ a First time this 19th day of July 2021.

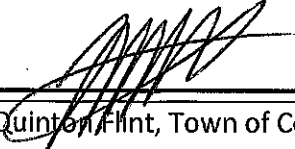
READ a Second time this 19th day of July 2021.

READ a Third time this 27th day of September 2021.

SIGNED AND PASSED this 27 day of September 2021



Ron Checkel,
Mayor, Town of Coronation



Quinjon Flint, Town of Coronation
Chief Administrative Officer

Schedule "A"

Fines and Penalties

OFFENCE	SECTION	MUNICIPAL TAG	VIOLATION TICKET
Causing or permitting a nuisance to exist on Property	4.1	50.00	100.00
Prohibited Flowing Water	5.1	50.00	100.00
Prohibited Outdoor Lighting	6.1	50.00	100.00
Failing to Maintain Boulevard	7.1	50.00	100.00
Prohibited use of Compost pile	8.1	50.00	100.00
Improper Placement of Compost pile	8.2	50.00	100.00
Improper storage of building materials	9.1	100.00	200.00
Improper storage or parking of Recreational Vehicle	10.1	100.00	200.00
Graffiti	11.1	100.00	200.00
Failure to Remove Graffiti	11.2	200.00	500.00
Abandoned Buildings	12.1	200.00	500.00
Causing or permitting a noise that disturbs the peace	13.1	100.00	200.00
Causing or permitting a Property to be used so that noise from the Property disturbs the peace	13.2	100.00	200.00

Advertising events or merchandise in residential district between 9:00 p.m. and 8:00 a.m.	13.3	100.00	150.00
Causing or Permitting construction activity on Property which creates noise that annoys or disturbs the peace	13.4	200.00	500.00
Placing placard or posting on Town Property without written permission	14.1	50.00	100.00
Littering	15.1	25.00	50.00

