



CITY OF FORT SASKATCHEWAN
COMMUNITY STANDARDS BYLAW
BYLAW NO. C16-12

WHEREAS Part 2 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended or repealed and replaced from time to time, provides that the Council of a Municipality may pass a bylaw for the purpose of prohibiting certain activities in order to prevent and compel the abatement of noise, Nuisances, Unightly Premises and public disturbances within the corporate limits of the City of Fort Saskatchewan;

AND WHEREAS it is desirable for regulations which affect neighborhood livability to be located, as much as possible, in one bylaw;

NOW THEREFORE, the Council of the City of Fort Saskatchewan, duly assembled, enacts as follows:

This Bylaw is cited as the City of Fort Saskatchewan "Community Standards Bylaw."

1. DEFINITIONS

For the purposes of this Bylaw, the following words shall mean:

- (a) "Act" means the *Municipal Government Act*, R.S.A. 2000, c. M-26;
- (b) "Automobile Parts" includes, but is not limited to, any part of a Motor Vehicle or collection of Motor Vehicle parts;
- (c) "Boulevard" means that part of a Highway in an urban area 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;
- (d) "Building Materials" means material or debris which may result from the construction, renovation, or demolition of any building or other Structure and includes, but is not limited to wood, gypsum board, roofing, vinyl siding, metal, packaging material and containers of Building Materials, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation or demolition of any building or other Structure;
- (e) "Charity Collection Site" means an area accessible to the public, which is marked by signs identifying the name of a charity and identifying the area for the collection of donated goods, and which contains a receptacle or bin for the collection of donated goods;
- (f) "City" means the City of Fort Saskatchewan;
- (g) "City Manager" means the City's Chief Administrative Officer or his designate;
- (h) "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;
- (i) "Court" means the Provincial Court of Alberta;
- (j) "Drinking Establishment" means any business, organization, or individual that holds a liquor license issued by the Alberta Gaming and Liquor Commission;
- (k) "Fence" includes a privately built Fence and a developer built community screening Fence;
- (l) "Fight" means any confrontation involving violent physical contact between two (2) or more people;

- (m) "Garden" means an area of land or a container in which flowers, vegetables, fruits or herbs are cultivated;
- (n) "Good Repair" means a condition where something is free from significant damage, peeling surfaces, broken, missing or fallen parts, rot or other significant deterioration, openings which are not secured against trespassers, infiltration, precipitation, or other visual evidence of a lack of general maintenance;
- (o) "Graffiti" means words, figures, letters, drawings or stickers applied, scribbles, scratched, etched, sprayed or attached on or to the surface of any Premises, Structure, or other Property;
- (p) "Herbaceous Plant" means a plant having little or no woody tissue above ground;
- (q) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, land, alley, square, bridge, causeway, trestle way or other place or 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 and includes:
 - (i) a Sidewalk, including a Boulevard adjacent to a Sidewalk;
 - (ii) if a ditch lies adjacent to and parallel with the Roadway, the ditch; and
 - (iii) 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.
- (r) "Industrial Fluids" includes, but is not limited to engine oil, brake fluid, anti-freeze or hydraulic fluid;
- (s) "Lane" means an alley intended primarily for access to the rear of Premises located adjacent to the alley;
- (t) "Litter" means any solid or liquid material or product, combination of solid or liquid materials, or liquid materials or products, including, but not limited to any rubbish, garbage, paper, packages, containers, bottles, cans, manure, metal, human or animal excrement, or the whole or part of an animal carcass, or the whole or part of any article, raw or processed material, or a dismantled or inoperative Motor Vehicle or other machinery;
- (u) "Motor Vehicle" has the same meaning as in the *Traffic Safety Act*, R.S.A. 2000, c.T-6 as amended or repealed and replaced from time to time;
- (v) "Night Time" means the period beginning at 10:00 PM and ending the following day at:
 - (i) 7:00 AM if the following day is Monday through Friday; or
 - (ii) 9:00 AM if the following day is a Saturday or Sunday.
- (w) "Nuisance" 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 neighborhood;
- (x) "Occupant" means any Person occupying any Property, or having control over the condition of any Property and the activities conducted on the Property, whether he is the Owner or lessee of such Property, or whether such Person resides thereon or conducts business thereon;
- (y) "Open Composting Pile" means a Composting site which is not fully contained in a Structure;
- (z) "Order" means an Order issued pursuant to this Bylaw to remedy a condition that is not in compliance with any provision of this Bylaw;
- (aa) "Owner" means a Person who:
 - (i) in the case of land, is 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, is in lawful possession, or has the right to exercise control over it, or is the registered Owner of it;

- (bb) "Panhandling" means to ask for a gratuitous donation of money, food, or goods of any kind, whether by spoken or printed work, or bodily gesture, but does not include the solicitation of charitable donations allowed or authorized pursuant to the *Charitable Fundraising Act*, or any other legislation permitting the solicitation of charitable donations;
- (cc) "Peace Officer" includes a Bylaw Enforcement Officer, a Community Peace Officer and a member of the Royal Canadian Mounted Police;
- (dd) "Person" includes a corporation, other legal entities or an individual;
- (ee) "Pest" means any animal, bird, reptile, or insect which causes, or could reasonably be expected to cause annoyance, damage, or injury to any Person, animal or plant;
- (ff) "Premises" includes the external surface of all buildings and the whole or part of any parcel of real Property, including the land immediately adjacent to any Structure and includes all forms of vegetation and including any Property or Structures owned or leased by the City;
- (gg) "Property" means a parcel of land including any buildings or, where the context so requires, a chattel;
- (hh) "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;
- (ii) "Recreational Vehicle" means a Vehicle used or intended for use as a shelter, and without restricting the generality of the foregoing, includes any motor-home, holiday Trailer, camper, tent Trailer and any bus or truck converted for use as a Recreational Vehicle;
- (jj) "Residential Building" means a Structure that contains one or more dwelling units including a house, multi-family dwelling, housing project, apartment building, lodging house, senior citizen complex or hospital;
- (kk) "Roadway" means that part of a Highway intended for use by vehicular traffic;
- (ll) "Sidewalk" means that part of the Highway especially adapted to the use of or ordinarily used by pedestrians and includes that part of a Highway between the curb line or, where there is no curb line, the edge of the Roadway, and the adjacent Property line whether or not it is paved or unpaved;
- (mm) "Structure" means any Structure, including but not limited to a building, Fence, retaining wall, scaffolding, shed, portable shack, or other similar types of construction;
- (nn) "Trailer" means a vehicle so designed that it:
 - (i) may be attached to or drawn by a Motor Vehicle or tractor; and
 - (ii) is intended to transport property or Persons, and includes any Vehicle defined by regulation as a Trailer but does not include machinery or equipment solely used in the construction or maintenance of Highways;
- (oo) "Unightly" means any Property which, because of deposits of rubbish, Litter, garbage, noxious weeds, or lack of general maintenance to a Structure or Property, impacts the Property values of the Property or other properties in the area;
- (pp) "Urinate" means to discharge urine from the body;
- (qq) "Violation Tag" means a tag or similar document issued by the City pursuant to the Act for the purpose of notifying a Person that an offence has been committed for which a prosecution may follow;
- (rr) "Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time;
- (ss) "Xeriscaped Area" means an area of land that is landscaped using plants that are adapted to the local area or that are drought resistant;
- (tt) "Yard Material" means any waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities including Grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds;

2. ADDRESSING

- (a) The Owner or Occupant of a Premises on which a dwelling unit has been erected shall display the number assigned to the Property at a location plainly visible from the street in front of the Premises to which the Property is addressed.
- (b) The Owner or Occupant of a Premises on which a dwelling unit has been erected that has access to a Lane shall display the number assigned to the Property at a location plainly visible from the Lane.

3. CHARITY COLLECTION SITES

- (a) No Person shall dump or deposit household garbage or other Litter at a Charity Collection Site.
- (b) No Person shall scavenge from or disturb any material, bag or box in or at a Charity Collection Site, whether or not that material, bag or box is contained in a receptacle or resting upon the ground.

4. NOISE CONTROL

- (a) Prohibited Noise
 - (i) Except as authorized pursuant to this Bylaw, no Person shall cause or permit any noise that annoys or disturbs the peace of any other Person.
 - (ii) Except as authorized pursuant to this Bylaw, no Owner or Occupant of a Premises shall cause or permit any noise that annoys or disturbs the peace of any other Person.
 - (iii) In determining if a sound is reasonably likely to annoy or disturb the peace of others, consideration may be given, but is not limited to:
 - (a) type, volume, and duration of the sound;
 - (b) time of day and day of week;
 - (c) nature and use of the surrounding area; and
 - (d) any other relevant factor.
 - (iv) With the exception of the activities referred to herein, unless permission from the City is first obtained, no Person shall use, operate or allow to be used or operated any tools, machinery, or equipment so as to create a noise, or disturbance which may be heard in a Residential Building in the Night Time.
 - (v) 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.
 - (vi) 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.
 - (vii) Nothing in this Bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which is a permitted use, an approved discretionary use, or a non-conforming, but not illegal, use as defined in the Act.
- (b) Section 4(a) does not apply to work carried on by the City or by a contractor carrying out the instructions of the City.

5. NUISANCE ESCAPING PROPERTY

- (a) Water, Eavestroughs and Downspouts
 - (i) No Owner or Occupant of a Premises shall allow a flow of water from a hose or similar device on the Premises to be directed towards an adjacent Premises if it is likely that the water from the hose or similar device will enter the adjacent Premises.
 - (ii) An Owner or Occupant of a Premises shall direct any rainwater downspout or eavestrough on the Premises towards the front or rear of the Premises or a side

yard which does not abut another Premises unless it is pre-existing, otherwise authorized or would be considered unreasonable or impractical to change.

- (iii) No Owner or Occupant of a Premises shall allow a flow of water from a hose or similar device, rain water, downspout or eavestrough to be directed over a public Sidewalk so as to be a hazard to any Person.

(b) Dust and Airborne Matter

- (i) No Person shall engage in any activity that is likely to allow dust or other airborne matter that may disturb any other Person to escape the Premises without taking reasonable precautions to ensure that the dust or other airborne matter does not escape the Premises.

(c) Outdoor Lighting

- (i) No Owner or Occupant of a Premises shall allow an outdoor light to point or shine directly into the living or sleeping areas of an adjacent dwelling house.
- (ii) An outdoor light shall not constitute a violation of Subsection (i) if the Owner or Occupant of the Premises shields the light from pointing or shining directly at the living or sleeping areas of the adjacent dwelling house.
- (iii) Where an outdoor light is permitted or required by the City, that approval or requirement shall take precedence over this Bylaw, and the light shall not constitute a violation of Subsection (i).

(d) Flyers and Debris

- (i) An Owner or Occupant of a Premises shall ensure that articles such as papers, flyers and loose debris are collected and contained on the Premises so that they do not escape onto adjacent or other neighbouring properties.
- (ii) An Owner or Occupant of a Premises is responsible for papers and flyers on their Premises regardless of whether they solicited for the delivery of these papers or flyers.
- (iii) No Person responsible for the operation of a business engaged in the distribution of commercial flyers shall allow the deposit of their commercial flyers on a Premises where signs or notices have been posted and are clearly visible at the entrance to a dwelling unit, indicating that such material is not wanted.

6. PLACARDS, POSTERS AND PLAYBILLS

- (a) No Person shall place, post, or erect, or cause, permit, or allow to be posted or exhibited, any sign, placard, playbill, poster, writing, or picture on any wall, Property, Fence, park, or land owned by the City, without written permission from the City.
- (b) A Peace Officer is authorized to remove and destroy any placard, playbill, poster, writing, or picture erected or maintained without permission.

7. UNSIGHTLY PREMISES

(a) Accumulation of Materials

- (i) No Owner or Occupant of a Premises shall allow on the Premises the accumulation of yard material, animal remains, parts of animal remains, animal feces, any material that creates unpleasant odours or is likely to attract Pests, or disassembled machinery, equipment and appliances and parts thereof.
- (ii) No Owner or Occupant of a Premises shall allow the open or exposed storage on the Premises of any industrial fluid.
- (iii) No Owner or Occupant of a Premises shall allow loose garbage, bottles, cans, boxes, packaging materials, household furniture or other household goods to accumulate on the Premises such that the accumulation is visible to a Person viewing from outside the Property.

(b) Appliances

- (i) No Owner or Occupant of any Premises shall allow a refrigerator or freezer to remain on the exterior of the Premises without first ensuring that the hinges and latches, or lid or doors of the unit have been removed unless authorized by the City.

- (ii) No Owner or Occupant of any Premises shall allow any appliances to remain on the Premises such that the appliance is visible to a Person viewing from outside the Property unless authorized by the City.
 - (iii) Notwithstanding Section 7(b) (i) and (ii), it shall not be an offence for an Owner or Occupant of a Premises to allow a refrigerator or freezer to remain on the Premises if the refrigerator or freezer is not visible to a Person viewing from outside the Property and the refrigerator remains locked at all times with a padlock and key or similar device.
- (c) Boulevards
 - (i) Every Owner or Occupant of a Premises shall maintain any Boulevard adjacent to that Premises by keeping any grass on the Boulevard cut to a reasonable length, and removing any accumulation of fallen leaves or other debris.
- (d) Compost Sites
 - (i) No Owner or Occupant of a Premises 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 Premises.
 - (ii) No Owner or Occupant of a Premises shall allow an Open Composting Pile on the Premises 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.
 - (iii) Every Owner or Occupant who allows a Composting container or Composting pile to remain on a Premises must ensure that it is maintained in such a manner that it does not become a Nuisance by creating offensive odours or attracting Pests.
- (e) Construction Sites
 - (i) 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.
 - (ii) A waste container on a construction site must be designed and/or have the capacity to contain all waste construction material within the container to ensure that the waste construction material is not capable of blowing off the construction site.
 - (iii) No construction material is to be stored or accumulated on a construction site unless it is not capable of being blown away from the construction site.
- (f) Graffiti
 - (i) No Person shall create or apply Graffiti except at a site that has been designated by the City.
 - (ii) Every Owner or Occupant of a Premise shall, within a reasonable time, ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view except at a site that has been designated by the City.
- (g) Maintenance of Grass and Other Plants
 - (i) Pursuant to Section 26 of the *Alberta Weed Control Act*, as amended or repealed or replaced from time to time, a Person is the Owner or Occupant of the Highway to the Highway's midpoint to the extent that the Person is the Owner or Occupier of the land that borders the Highway.
 - (ii) No Owner or Occupier of a Premises shall allow grass or other Herbaceous Plants on the Premises to exceed a height of fifteen (15) centimetres.
 - (a) This section shall not apply to golf courses, maintained Gardens or maintained Xeriscaped Areas, parks or natural areas under the direction and control of the City, or areas under the direction and control of the City including Boulevards adjacent to major Roadways, and areas subject to naturalization efforts.

- (b) This section will apply to vacant lots within residential areas and the grass on any Boulevard that lies directly between the boundary of a parcel of land and an adjacent Highway, Roadway or alley.

(h) **Motor Vehicles**

- (i) No Person may conduct any repair work on a Motor Vehicle, including mechanical repairs, auto body work, frame repair, collision repair, auto painting or modifications to the body or rebuilding of a Motor Vehicle, on any Premises in a residential district unless:
 - (a) the activity does not create a Nuisance or noise complaints from the neighbourhood;
 - (b) there is no escape of offensive, annoying, or noxious odours, fumes or smoke from the premises;
 - (c) vehicle fluids, oil, gasoline products or other hazardous material are properly disposed of and not swept or washed onto a Highway or down storm or sanitary sewers;
 - (d) all discarded Automobile parts and materials are properly stored and disposed of from the Premises; and
 - (e) the activity is routine maintenance work done on any Motor Vehicle owned, operated, and registered in the name of the Owner or Occupant of the Premises, provided that all building and fire code regulations are met.
 - (ii) No Owner or Occupant of a Premises shall allow the accumulation of Automobile Parts on the Premises unless they are contained in a Structure which has been approved by the City.
 - (iii) No Owner or Occupant of a Premises shall allow more than one inoperable Motor Vehicle to remain on the Premises, and the Motor Vehicle must be either contained within a Structure which has been approved by the City or covered by a tarpaulin or other device acceptable to the City which prevents it being seen from any neighbouring Property or public area.
 - (iv) No Owner or Occupant of a Premises shall park or store a Motor Vehicle, Recreational Vehicle, Trailer, or boat in the front yard of a Premises and wholly or partially on turf, lawn, dirt, gravel or other non-hard surfaced areas.
- (i) **Obligation to Maintain Property**
- (i) No Owner or Occupant of a Premises shall allow a Structure or Fence to become a safety hazard.
 - (ii) Every Owner or Occupant of a Premises shall ensure the following are maintained in Good Repair:
 - (a) fences and their structural members; and
 - (b) structures and their structural members, including foundations and foundation walls, exterior walls and their components, roofs, windows and their casings, doors and their frames, protective or decorative finishes of all exterior surfaces of a Structure or Fence, and exterior stairs, landings, porches, balconies and decks.
 - (iii) No Owner or Occupant of a Premises shall allow a Nuisance to exist in respect of any building on the Premises.
 - (iv) The Owner, agent, lessee, or Occupant of a Premise shall prevent stagnant water from remaining on any such Premises and becoming a breeding place for mosquitoes or other Pests.
 - (v) No Owner or Occupant of a Premises shall permit any excavation, depression, drain, ditch, watercourse, pond, surface water, refuse or other matter of thing upon private land, street, road, or in or about any building to be or to remain a Nuisance or danger to public health or safety.

(j) Outdoor Storage of Building Materials

- (i) No Owner or Occupant of a Premises shall allow on the Premises the accumulation of Building Materials, whether new or used, unless that Owner or Occupier can establish a construction or renovation undertaking is being carried out on the Premises and that:
 - (a) the project has begun or the beginning of work is imminent;
 - (b) the materials found on the Premises relate to the project taking place on the Premises 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 days (120).
- (ii) An Owner or Occupant of a Premises shall ensure that all Building Materials stored on a Premises that are not in contravention of Subsection (i) are stacked or stored in an orderly manner.
- (iii) Notwithstanding anything in this Part, it shall not be an offence to store a small amount of neatly stacked materials on a Premises for basic Property maintenance.

(k) Unoccupied Buildings

- (i) If a building normally intended for human habitation is unoccupied, then any door or window opening in the building must be covered with a solid piece of wood but only if the wood is installed from the exterior and fitted within the frame of the opening in a watertight manner, of a thickness sufficient to prevent unauthorized entry into the building, secured in a manner sufficient to prevent unauthorized entry into the building, and coated with an opaque protective finish in a manner that is not detrimental to the surrounding area.
- (ii) If a building normally intended for human habitation is unoccupied then every walk and driveway on the Property shall be maintained clear of all snow and ice by the Owner.

8. WRITTEN ORDERS AND INSPECTIONS

- (a) The City Manager and/or his designate may, after giving reasonable notice to the Owner or Occupier of the Premises, enter upon the said Premises and carry out an inspection for conditions that may contravene or fail to comply with the provisions of this Bylaw.
 - (i) Any Person who refuses to allow an inspection of the Premises under Section 8(a) is guilty of an offence.
- (b) If the City Manager and/or his designate believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, the City Manager and/or his designate may, by written Order, require any Person responsible for the contravention to remedy it.
 - (i) Any Person who fails to comply with an Order made under Section 8(b) is guilty of an offence.

9. LITTERING

- (a) No Person shall place, deposit, throw, or cause to be placed, deposited, or thrown, any Litter, refuse, or other substance upon any street, lane, Sidewalk, parking lot, park, playground, or other Public Place or watercourse, or on Property not his own, except in a receptacle provided for such purposes.
- (b) A Person who has placed, deposited, or thrown, or caused to be placed, deposited, or thrown, any Litter upon any street, Lane, Sidewalk, parking place, park, playground or other Public Place or watercourse, or on any property not his own, shall forthwith remove it, or upon direction of the Property Owner, agent or lessee, or a Peace Officer.

10. PANHANDLING

- (a) No Person shall engage in Panhandling.

11. PUBLIC DISTURBANCES

- (a) No Person shall participate in a Fight which a Peace Officer has reasonable grounds to believe is a verbal or physical confrontation in any Public Place or any place to which the public is allowed access.
- (b) No Person shall be a member of an assembly of three (3) 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.
- (c) No Person shall loiter where a Peace Officer has reasonable grounds to believe the Person will obstruct any other Person in any Public Place.

12. URINATION

- (a) 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.

13. OFFENCES & PENALTIES

- (a) Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction, to a specified penalty for that offence as set out in Schedule "A" to this Bylaw.
- (b) Notwithstanding Schedule "A" of this Bylaw, any Person who commits a second or subsequent offence under this Bylaw within one (1) year of committing a first offence under this Bylaw, is liable on summary conviction to double the fine set out in Schedule "A" to this Bylaw, for that offence.
- (c) 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.

14. VIOLATION TAGS

- (a) A Peace Officer is hereby authorized and empowered to issue Violation Tags to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (b) A Violation Tag may be issued to such Person:
 - (i) either personally; or
 - (ii) by placing a copy of the Violation Tag on the vehicle; or
 - (iii) by mailing a hard copy to such Person at their last known postal address.
- (c) A Violation Tag shall be in a form approved by the City and shall state:
 - (i) the name of the Person;
 - (ii) the offence;
 - (iii) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - (iv) that the penalty shall be paid within seven (7) days of the issuance of the Violation Tag; and
 - (v) any other information that may be required by the City.
- (d) Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may in lieu of prosecution of the offence, pay the City the specified penalty set out on the Violation Tag.
- (e) Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.

15. VIOLATION TICKETS

- (a) In those cases where a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket.

- (b) Notwithstanding Section 16(a), a Peace Officer is authorized and empowered to immediately issue a Violation Ticket to any Person who the Peace Officer has reasonable and probable grounds to believe is responsible for a contravention of this Bylaw.
- (c) A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*, as amended or repealed or replaced from time to time.
- (d) The Person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided for in Schedule "A" to this Bylaw.
- (e) When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to Section 16(d) of this Bylaw 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.

16. ORDER TO COMPLY

- (a) An Order issued by the City Manager and/or his designate may:
 - (i) direct a Person to stop doing something, or to change the way in which the Person is doing it;
 - (ii) direct a Person to take any action or measures necessary to remedy the contravention of this Bylaw and, if necessary, to prevent a re-occurrence of the contravention;
 - (iii) state a time within which the Person must comply with the directions; or
 - (iv) state that if the Person does not comply with the directions within a specified time, the City will take the action or measure at the expense of the Owner or Occupier.
- (b) An Order issued pursuant to this Section may be served:
 - (i) by delivering it personally to the Person;
 - (ii) by leaving it for the Person at their apparent place of residence with someone who appears to be at least eighteen (18) years of age;
 - (iii) by mail addressed to the Person at their apparent place of residence or at any address for the Person on the tax roll of the City or at the Land Titles registry; or
 - (iv) by posting it in a conspicuous place on the premises or property referred to on the Order.
- (c) If in the opinion of the City Manager and/or his designate, service of the written Order cannot be reasonably affected, or if the City Manager and/or his designate believes that the Owner of the Premises or Property is evading service, the City Manager and/or his designate may post the written Order in a conspicuous place on the Premises or Property, or on the private dwelling place of the Owner of the Premises or Property, and the written Order shall be deemed to be served upon the expiry of three (3) days after the written Order is posted.
- (d) When an Owner fails to remedy a contravention of this Bylaw within the time allowed in a written Order, the City may enter the Premises or Property to perform or complete the work necessary to remedy the violation of this Bylaw the costs incurred by the City to remedy the violation, as well as any applicable fines under this Bylaw, will be billed to the Owner and will be amounts owing to the City. If the costs are not paid in the time specified by the City, the costs may be charged against the Premises or Property as a special assessment to be recovered in the same manner as other taxes.

17. NUMBER AND GENDER REFERENCES

All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female Person, or a corporation or partnership.

18. SEVERABILITY

- (a) If any portion of this Bylaw is declared invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

19. APPEALS

- (a) A Person who receives a written Order to comply with a Section pursuant to this Bylaw may by written notice within fourteen (14) days after the date the Order is received, request Council to review the Order.
- (b) After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.

20. REPEAL

That Bylaws C10-88, C25-95, C6-88, C8-95, and 1890 and all amendments hereto are hereby repealed.

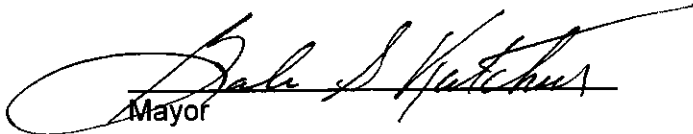
21. EFFECTIVE DATE

This Bylaw becomes effective upon third and final reading.

READ a first time this 28th day of August 2012.

READ a second time this 11th day of September 2012.

READ a third time and finally passed this 11th day of September 2012.


Mayor


Director, Legislative Services

CITY OF FORT SASKATCHEWAN			
APPROVED		DATE	INTL
Dir. Leg. Svcs.	Legal & Form	SEP 11/12	MM
Dep't.	Content	SEP 17/12	W.A
City Mgr.	Principle	SEP 19/12	KK

Date Signed: September 12, 2012

BYLAW C16-12

SCHEDULE "A"

FINES AND PENALTIES

SECTION	OFFENCE	SPECIFIED PENALTY	SECOND & SUBSEQUENT OFFENCE
3(a)	DUMPING AT CHARITY COLLECTION SITE	\$100.00	\$200.00
3(b)	SCAVENGING FROM CHARITY COLLECTION SITE	\$100.00	\$200.00
4(a)(i-ii), 4(a)(iv-vi)	MAKE PROHIBITED NOISE	\$250.00	\$500.00
5(a)	PROHIBITED WATER FLOW	\$250.00	\$500.00
5(b)(i)	DUST/AIRBORNE MATTER ESCAPING PREMISES	\$250.00	\$500.00
5(c)(i)	OUTDOOR LIGHT SHINING AT ADJACENT HOUSE	\$300.00	\$600.00
5(d)(i)	FLYERS UNCONTAINED AND ESCAPING PREMISES	\$300.00	\$600.00
5(d)(iii)	COMPANY DISTRIBUTING FLYERS IMPROPERLY	\$300.00	\$600.00
6(a)	PLACE POSTERS WITHOUT PERMISSION	\$50.00	\$100.00
7(a)(i)	ACCUMULATION OF MATERIALS ON PREMISES	\$250.00	\$500.00
7(a)(ii)	IMPROPER STORAGE OF INDUSTRIAL FLUIDS	\$250.00	\$500.00
7(a)(iii)	ACCUMULATION IN VIEW FROM OUTSIDE PROPERTY	\$250.00	\$500.00
7(b)(iii)	APPLIANCES – FAIL TO SECURE LID	\$200.00	\$400.00
7(b)(ii)	APPLIANCES IN VIEW FROM OUTSIDE PROPERTY	\$200.00	\$400.00
7(d)(i)	ANIMAL FECES OR MEAT ON COMPOST PILE	\$250.00	\$500.00
7(d)(ii)	IMPROPER PLACEMENT OF COMPOST PILE	\$250.00	\$500.00
7(d)(iii)	COMPOST PILE ATTRACTING PESTS/ODOURS	\$250.00	\$500.00
7(e)(i)	NO WASTE CONTAINER ON CONSTRUCTION SITE	\$500.00	\$1000.00
7(e)(ii-iii)	WASTE MATERIALS BLOWN OFF CONSTRUCTION SITE	\$500.00	\$1000.00
7(f)(i), 7(f)(iii)	APPLY/FAIL TO REMOVE GRAFFITI	\$250.00	\$500.00
7(g)(ii)	GRASS EXCEED 15 CM	\$100.00	\$200.00
7(h)(i)	IMPROPER REPAIR ON MOTOR VEHICLE ON PREMISES	\$500.00	\$1000.00
7(h)(ii)	ACCUMULATION OF AUTOMOBILE PARTS	\$250.00	\$500.00
7(h)(iii)	MORE THAN ONE INOPERABLE VEHICLE/NOT COVERED	\$250.00	\$500.00
7(h)(iv)	PARKING/STORAGE OF VEHICLE IN FRONT YARD	\$250.00	\$500.00
7(i)(i)	SAFETY HAZARD – STRUCTURE OR FENCE	\$300.00	\$600.00
7(i)(ii)	PREMISES NOT IN GOOD REPAIR	\$300.00	\$600.00
7(i)(iii)	NUISANCE OF BUILDING OR LAND	\$300.00	\$600.00
7(i)(iv)	ACCUMULATION OF STAGNANT WATER	\$50.00	\$100.00
7(i)(v)	SAFETY HAZARD – EXCAVATION/DITCH	\$300.00	\$600.00

7(j)(i)	IMPROPER OUTDOOR STORAGE OF BLDG MATERIALS	\$250.00	\$500.00
7(j)(ii)	BUILDING MATERIALS NOT STORED IN AN ORDERLY MANNER	\$250.00	\$500.00
7(k)(i)	IMPROPER BLOCKING OF UNOCCUPIED BUILDING	\$1000.00	\$2000.00
7(k)(ii)	FAIL TO REMOVE SNOW – UNOCCUPIED BUILDING	\$100.00	\$200.00
8(a)(i)	REFUSING TO ALLOW INSPECTION OF PEACE OFFICER	\$500.00	\$1000.00
8(b)(i)	FAILING TO COMPLY WITH WRITTEN ORDER FROM PEACE OFFICER	\$500.00	\$1000.00
9(a)	LITTERING	\$250.00	\$500.00
10(a)	PANHANDLING	\$150.00	\$150.00
11(a)	FIGHTING IN PUBLIC PLACE	\$250.00	\$500.00
11(b)	ILLEGAL ASSEMBLY – DISTURB THE PEACE	\$250.00	\$500.00
11(c)	LOITERING	\$250.00	\$500.00
12(a)	URINATION/DEFECATION	\$300.00	\$600.00