



TOWN OF  
**DIAMOND  
VALLEY**

**OFFICE CONSOLIDATION  
of  
Bylaw 2023-23**

**Property Responsibilities Bylaw**

This document is consolidated into a single publication for the convenience of users. The official Bylaw and all amendments thereto are available from the Legislative Services Supervisor and should be consulted in interpreting and applying this Bylaw. In case of any dispute, the original Bylaw(s) must be consulted.

For easy reference the amending Bylaw Numbers are listed with a brief description.

**Printed by the Legislative Services Manager, by the authority of Town Council.**



# Property Responsibility Bylaw Consolidated Bylaw 2023-23

### **Includes Amending Bylaws:**

**BEING A BYLAW OF THE TOWN OF DIAMOND VALLEY IN THE PROVINCE OF ALBERTA, TO REGULATE AND ABATE NUISANCE AND UNSIGHTLY PREMISES AND TO REQUIRE TIMELY SNOW REMOVAL WITHIN THE TOWN OF DIAMOND VALLEY, ALBERTA.**

**WHEREAS** pursuant to the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, a municipal council has authority to govern and the authority to pass bylaws respecting nuisances, including unsightly property; the safety, health, and welfare of people; and the protection of people and property; and

**WHEREAS** the Council of the Town of Diamond Valley deems it desirable to pass a bylaw to require the timely removal of ice and snow from the sidewalks located within the Town of Diamond Valley; and

**AND WHEREAS** the Municipal Government Act authorizes a municipality to pass bylaws regarding the remedying of contraventions of bylaws;

**THEREFORE, BE IT RESOLVED THAT** the Council of the Town of Diamond Valley, duly assembled in Council Chambers in Diamond Valley, Alberta, enacts as follows:

**1.0 TITLE AND PURPOSE**

1.1 This bylaw may be cited as the 'Property Responsibility Bylaw'.

**2.0 INTERPRETATION AND DEFINITIONS**

2.1 In this bylaw and any schedules to this bylaw, the following terms, phrases, words and their derivations shall have the following meanings:

- a) **Alarm System** means any device that detects an unauthorized entry to, or an Emergency on a Premises
- b) **Animal Material** means any animal excrement, offal, carcasses or parts thereof, and includes all material accumulated on a premise from the operation of pet pens, pet yards, kennels, stables, veterinary clinics or animal hospitals.
- c) **Ashes** means the powdery residue accumulated on a premise left after the combustion of any substance and includes any partially burnt wood, charcoal or coal.
- d) **Building Material** means all material or debris associated with the construction, renovation or demolition of any building or other structure and includes, but is not limited to, wood, gypsum board, roofing, pipe, wiring, vinyl siding, metal, packaging material, containers, gravel, concrete, asphalt, and any earth, vegetation or rock displaced during such construction, renovation or demolition.
- e) **CAO** means the Chief Administrative Officer of the Town of Diamond Valley or his/her designate.
- f) **Complaint** refers to the initial reported contravention of this Bylaw, whether such complaint is made by a member of the public, an employee of the Town, or self-generated by an Enforcement Officer in order to prevent continued or further contravention of the provisions of this Bylaw.

g) **Construction** means the temporary process of building, constructing, repairing, deconstructing or demolishing any Structure, including landscaping, home repair, home renovations, property improvements, and any work in connection with those processes;

h) **Control** in reference to weeds and grass means to:

- I. cut, mow, or carry out other measures designed to inhibit propagation of the weed, or the excessive growth of grass; or
- II. destroy the weed if specified by an Enforcement Officer or Weed Inspector employed by the Town of Diamond Valley; or
- III. carry out other measures as prescribed by an Enforcement Officer or Weed Inspector employed by the Town of Diamond Valley.

i) **Council** means the duly elected Council of the Town of Diamond Valley.

j) **Court** means the Provincial Court of Justice, Alberta, or such other Court as may have jurisdiction to hear any relevant matter arising out of this Bylaw.

k) **Daytime** means the period

- I. beginning at 7:00 a.m. and ending at 10:00 p.m. of the same day on Weekdays, or
- II. beginning at 9:00 a.m. and ending at 10:00 p.m. of the same day on a Weekend;

l) **Emergency** means a situation in which there is an imminent danger to public safety or serious harm to Property.

m) **Enforcement Officer** means any individual(s) designated and appointed, from time to time, by the Town of Diamond Valley for the purpose of administration and enforcement of this Bylaw and shall include a person designated as a Peace Officer appointed pursuant to the *Peace Officer Act, S.A. 2006, c P-3.5*, or a police officer under the *Police Act, R.S.A. 2000, c. P-17*

n) **False Alarm** means the activation of an Alarm System when there is:

- I. no unauthorized entry or attempted entry to a Premises, or
- II. no other emergency on a Premises and for greater certainty includes the activation of an Alarm System by:
- III. testing
- IV. mechanical failure, malfunction or faulty equipment,
- V. inadvertence, mistake, omission or negligence or
- VI. atmospheric conditions, vibrations, power failure or communications failure.

2024-89 n.1) **Garage Sale** means an offering for sale to the public of personal property held inside or outside of a building located in any residential district, and includes, but is not limited to all sales entitled "attic", "backyard", "boot", "driveway", "estate", "flea market", "garage", "lawn", "moving", "patio", "porch", "room", "rummage", "white elephant", or "yard" sales.

o) **Garbage** means any household or commercial rubbish including, but not limited to, boxes, cartons, bottles, cans, containers, packaging, wrapping material, wastepaper,

cardboard, food, organic waste, discarded clothing or fabric and any other discarded household or commercial items

- p) **Garbage Truck** means any vehicle equipped for transporting waste, refuse, or recyclable materials or any vehicle equipped to load, unload, and transport containers for handling waste, refuse, or recyclable materials;
- q) **Graffiti** means words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to the surface of any Premises, Structure, or other property, but does not include words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to the surface of any vehicle without the consent of the Owner of the premises or other surface upon which such Graffiti has been placed.
- r) **Including or Includes** when introducing a list of items, does not limit the meaning of the words to those items or to items of a similar kind.
- s) **Motorized Garden Tool** means any tool used for gardening or horticulture that is powered by an engine or motor, regardless of whether that mechanism is powered by compressed air, electricity, or a fossil fuel;
- t) **Municipal Address** means the address that is assigned by the Town.
- u) **Municipal Government Act** means the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended or replaced from time to time.
- v) **Nighttime** means:
  - I. the period beginning at 10:00 p.m. and ending at 7:00 a.m. on Weekdays, or
  - II. or beginning at 10:00 p.m. and ending at 9:00 a.m. on a Weekend;
- w) **Noise** means any sound that is likely to unreasonably annoy, aggravate or disturb persons, or to injure, endanger or detract from the comfort, peace or repose of persons, and includes but is not limited to loud music, shouting, banging and other similar disturbing activities.
- x) **Notice** means a Notice issued pursuant to the provisions of this Bylaw requiring an Owner to remedy any condition of a property or Premises that is not in compliance with any provision of this Bylaw.
- y) **Nuisance** means any act or deed, or omission, or thing, which is, or could reasonably be expected to be annoying, or troublesome, or destructive, or harmful, or inconvenient, or injurious to another Person and/or his Property, but does not include Noise or inconvenience which results from commercial or municipal activities, reasonably conducted, which provides service to the community such as snow clearing or construction activities.
- z) **Owner** of a property or Premises means:
  - I. a Person who is shown as the Owner of the property on the subject Land Title;
  - II. a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;

- III. a Person who is an occupant of the property or Premises pursuant to a rental or lease agreement, licence or permit, or who otherwise occupies the property or Premises with the permission or consent of the legal Owner;
- IV. a Person who has purchased or otherwise acquired the land, whether he has purchased or otherwise acquired the land directly from the Owner or from another purchaser, and who has not yet become the registered Owner thereof;
- V. a Person holding himself out as a Person having the powers and authority of ownership or control of the property or Premises, or any Person, who for the time being, exercises the powers and authority of ownership or control of the property or Premises;
- VI. a Person controlling or managing the property or Premises under construction.

aa) **Outdoor Speaker System** means any sound amplification device that converts electrical impulses into sound, whether the device is independent or incorporated into a musical instrument amplifier, radio, stereo, television, public address system, or other system which is positioned:

- I. outside of a building,
- II. inside a building and within 2 metres of any opening in the building including a window or doorway, where it is directed outside of the building, or
- III. in a tent;

bb) **Parcel** means the aggregate of one or more contiguous areas of land described in a certificate of title.

cc) **Person** means an individual or any other legal entity including a firm, partnership, joint venture, proprietorship, corporation, association, or society.

dd) **Power Tool** includes any tool powered by an engine or motor, regardless of whether that mechanism is powered by compressed air, electricity, or a fossil fuel;

ee) **Premises** means the lands, buildings, and other structures located within the property lines of any property situated in whole or in part within the Town, and includes any land or buildings owned or leased by the Town.

ff) **Provincial Offences Procedure Act** means the *Provincial Offences Procedure Act*, RSA 2000, Chapter P-34, and the regulations thereof, as amended or replaced from time to time.

gg) **Residential Area or Residential Areas** means any area, location, or parcel of land, that is zoned as a Residential Land Use District where housing is listed as a permitted use.

hh) **Residential Development** means any land that is the site of one or more Residential Buildings, excepting farms, ranches, and other land which is primarily used for bona fide industrial, agricultural, or commercial purposes.

ii) **Sidewalk** has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, Chapter T-6.

jj) **Sound Level** means the sound pressure measured in decibels using the "A" weighted network of a Sound Level Meter with fast response;

kk) **Sound Level Meter** means any Type 2 or better integrating instrument (as established by the standards of the American National Standards Institute "A.N.S.I.") that measures Sound Levels;

ll) **Town** means the municipality of the Town of Diamond Valley in the Province of Alberta, or where the context so requires, its municipal boundaries.

mm) **Trailer** has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, Chapter T-6.

nn) **Unsightly Premises** means any Premises, dwelling building or part thereof that clearly shows signs of neglect, or which otherwise exhibits a significant lack of general maintenance, clean-up, or upkeep, and includes:

- I. Any land upon which there is an excessive, unusual, or unreasonable accumulation of:
  - i. animal material, yard material, building material, garbage, human excrement, sewage, hazardous materials, piles of soil, clay or rubble, petroleum products, metal, plastics, fabrics, used containers, paper products, or any other form of scrap, litter, trash, junk, or waste of any kind;
  - ii. parts of disassembled Vehicles (including tires/wheels), appliances, machinery, equipment, or power tools;
  - iii. surplus, disused, damaged or stored household or commercial chattels; or
  - iv. surplus, disused, damaged or stored Vehicles, trailers, motorcycles, bicycles and recreational Vehicles, including any such items that are inoperative by reason of disrepair, removed or missing parts, age, damage, or which are otherwise not in a legally roadworthy or functioning condition.
- II. Any building, structure, or other improvement that exhibits significant physical deterioration, including buildings and structures that suffer from:
  - i. broken (or missing) windows, siding, shingles, shutters, eaves, roofing or finishing materials; or
  - ii. clearly visible exterior or structural deterioration, damage or decay, including significant fading, chipping or peeling of painted surfaces.

oo) **Vehicle** has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, Chapter T-6, and includes any motorized Vehicle that is in an inoperable condition or is unable to be moved under its own power;

pp) **Violation Tag** means a tag or similar document issued by the Town pursuant to the provisions of the *Municipal Government Act*.

qq) **Weekday** means Monday, Tuesday, Wednesday, Thursday, and Friday;

rr) **Weekend** means Saturday and Sunday;

ss) **Yard Material** means waste material of an organic nature formed as a result of gardening, landscaping, horticultural pursuits, or agricultural activities and includes grass, tree or shrub cuttings, waste sod and decomposing plants, leaves and weeds.

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2.2 The headings in this bylaw do not form part of this bylaw and shall not affect its interpretation.

2.3 Any references in this bylaw to any Statutes are to the *Province of Alberta Statutes* as amended or replaced from time to time and any amendments thereto.

2.4 Within the text of this Bylaw;

- a) use of a pronoun or determiner which indicates on gender shall include all genders unless the context requires otherwise, and
- b) use of the singular shall include the plural and the plural shall include the singular as the context requires.

2.5 The word 'may' when used in this bylaw shall be construed as permissive and empowering, and the word 'shall' when used in this bylaw shall be construed as imperative.

2.6 The owner of any real property, as registered on title at the Land Titles Office is ultimately responsible for all activities on the property which may constitute prohibitions of this Bylaw.

2.7 Nothing in this Bylaw relieves a *Person* from complying with any Federal or Provincial law or regulation, other bylaw or any requirements of any lawful permit, order or licence.

2.8 Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.

2.9 Every provision of 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.

2.10 All schedules attached to this Bylaw shall form part of this Bylaw.

2.11 If a vehicle is involved in an offence under this Bylaw, the owner of that vehicle is guilty of an offence unless the owner of that vehicle satisfies the Court that the owner was not in control of the vehicle and that the Person having control of the vehicle at the time of the offence had control of the vehicle without the owner's express or implied consent.

### **3.0 UNSIGHTLY & NUISANCE PREMISES**

3.1 No Owner or Owners of Premises shall cause, permit or allow the Premises to become or to continue to be an Unsightly Premises as defined in this Bylaw.

3.2 No Owner or Owners of a Premises shall cause, permit or allow the Premises to become or continue to be a risk of danger to public safety, to themselves, or to other Persons, Premises or property.

3.3 No Owner or Owners of a Premises shall cause, permit or allow the actions of any Person occupying or using the Premises to become or continue to be a nuisance or a risk of danger to the public, or to otherwise interfere with other Persons' repose, comfort or peaceful enjoyment of their property.

3.4 Nuisance for the purposes of this bylaw includes any use of or activity upon a property which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighborhood, and without limiting the generality of the foregoing, includes the following:

- a) 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; or
- b) drawing, painting, or writing or any signs or message upon public or private property except with the prior permission of the owner of the property.

3.5 No Owner or Owners of a Premises shall permit or allow any Person occupying or using the Premises to store or accumulate Building Materials on the Premises, whether new or used, unless the Owner can establish that construction or renovation work is actively being carried out on the Premises.

3.6 The Owner of a Premises shall ensure that any Building Materials, that are not in contravention of Section 3.5 are stacked or stored in an orderly fashion.

3.7 When making the determination as to whether a particular Premises is an Unsightly Premises, or as to whether the Owner of a Premises has allowed the Premises or its occupiers to become or continue to be a nuisance or risk of danger to other Persons or property, the Court may consider any admissible evidence as to:

- a) the general condition and state of upkeep and tidiness of other Premises located in the same neighbourhood, community or vicinity;
- b) the nature, size, location and permitted use of the Premises, and whether or not the Premises is located within a Residential Development;
- c) the nature of the unsightly or nuisance condition complained of, and the period of time that such condition has persisted;
- d) whether the Premises is undergoing construction, renovation, or demolition, and the period of time that such activity has been ongoing;
- e) whether the Owner of the Premises had been previously notified or warned by an Enforcement Officer that the Premises is not being kept in compliance with the provisions of this Bylaw; and
- f) any other circumstances or factors relating to the Premises which the Court considers are relevant to the subject determination.

3.8 Where remedial measures are carried out pursuant to this Bylaw, neither the Town nor its employees or contractors thereof may be held financially liable in any way in relation to remedial actions taken.

3.9 Garage Sales are regulated as follows:

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- a) No Owner or Owners of a Premises shall permit or allow any Person occupying or using the Premises to hold or permit more than a total of 14 days of Garage Sales from the same Premises in any calendar year.
- b) For the purposes of calculating the number of Garage Sales held or permitted at a Premises under Section 3.9 a), a Garage Sale shall be counted as having occurred for one

day if it is conducted over a period of one day, or parts of one day, within the hours allowed pursuant to Section 3.9 f).

- c) The limitation in Section 3.9 a) applies whether or not the Garage Sale is held or permitted to be held by one Occupant of the Premises, or a combination or a succession of Occupants of the Premises.
- d) No Owner or Owners of a Premises shall permit or allow any Person occupying or using the Premises to hold or permit a Garage Sale to be held for more than three (3) consecutive days.
- e) The Owner or Owners of a Premises or any Person occupying or using the Premises shall ensure that any personal property displayed for a Garage Sale remains in a tidy and orderly condition on the property throughout the course of the Garage Sale.
- f) Garage sales shall not take place during Nighttime hours, 10:00 pm to 7:00 am on Weekdays, or 10:00 pm to 9:00 am on Weekends. Personal property and signage shall not be displayed in or on the property during Nighttime hours. Items for sale are to be removed out of sight at the end of each day during the Garage Sale.
- g) Any contravention of section 3.9 a) to 3.9 f) shall be considered to be an Unsightly Premises, in accordance with section 3.0 of this Bylaw.

#### **4.0 WEEDS, GRASS, TREES, PESTS, SMOKE AND ODOURS**

4.1 An Owner of a Premises shall control all trees, saplings, weeds and grass on the premises, and on any Boulevard which abuts or adjoins the premises, including up to the center of lanes or alleys at the rear or side of the premises. An Owner shall ensure that the height of grass on the premises is reasonably controlled so as to prevent the grass from becoming unreasonably long and unsightly, having regard to the typical height of the grass on adjacent or neighboring premises.

4.2 An Owner of a Premises shall remove any trees, shrubs, foliage or parts thereof:

- a) that overhang or encroach upon public property, and which, due to a deterioration of condition or for any other reason, become or create a traffic or public safety hazard; or
- b) which become unsightly or which create a risk of causing damage to public property or impedes the use of public property.

4.3 2023-34 An Owner of a Premises shall ensure that trees or other vegetation growing on the Premises does not interfere with or endanger the lines, poles, conduits, pipes, sewers or other public works of the Town.

4.4 2023-34 Where branches, foliage, roots or other parts of trees, shrubs or other vegetation growing on the premises extended beyond the property lines of the premises, and are interfering with or obstructing any line, lighting, roads, sewers, or other public works of the Town, an Enforcement Officer may authorize, with or without notice to the Owner of the subject premises, the immediate removal of any such interference or obstruction.

4.5 An Owner of a Premises shall not allow grasses or weeds on the premises to exceed the height of 15 centimeters.

4.6 An Owner of a Premises shall control all weeds and grass on the Premises, and on any Boulevard which abuts or adjoins the Premises, in accordance with the management practices set out by the *Alberta Environmental Protection and Enhancement Act* for Integrated Pest Management (IPM) program.

a) Remove from such property dead grass or brush or rubbish which is untidy or unsightly or may harbour or attract vermin or pests thereon.

4.7 All owners or occupants of properties with an Urban Reserve (UR) designation that are adjacent to residential properties, in a Residential Area or Residential Areas must maintain a buffer of 5 meters inside their property line where it borders the residential property(ies) and ensure it is free and clear of weeds.

**4.8**  
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Section 4 of this Bylaw shall not apply to grass and weeds on public lands, excluding weeds classified as noxious or noxious prohibited. Boulevards and alleys located adjacent to public lands are also exempted, as well as Premises located in areas defined in the Land Use Bylaw as Public Service (PS), or any other land owned or controlled by the Town. Premises located in areas defined in the Land Use Bylaw as Urban Reserve (UR), are also exempt, subject to section 4.7 of this Bylaw.

4.9 No Person or Owner of Premises shall cause, permit or allow dense smoke or dust to be omitted from a premise and into the atmosphere from any lands, building or Premises, that negatively impacts another person's comfort or peaceful enjoyment of their property.

4.10 No Person or Owner of Premises shall cause, permit or allow noxious or offensive odors to be omitted from a premise and into the atmosphere from any lands, building or Premises, that negatively impacts another person's comfort or peaceful enjoyment of their property.

## **5.0 SNOW ON SIDEWALKS**

5.1 An Owner of a Premises shall ensure:

- a) that every reasonable means is used to ensure the removal from any public or private 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; and
- b) whenever snow or ice is deposited or formed on a Sidewalk adjacent to a parcel of land that is the subject of a condominium plan, the condominium corporation associated with the parcel of land shall remove, or cause to be removed, the snow or ice from the Sidewalk within forty-eight hours after the ice or snow was formed or deposited.
- c) that the snow and ice removed pursuant to Section 5.1 is not placed upon any highway or other public property administered by the Town.

5.2 For the purpose of Section 5.1:

- a) snow and ice will be considered removed when the sidewalk is cleaned for the entire width of the sidewalk to the sidewalk surface as completely as reasonably possible;
- b) in the case of a sidewalk being below grade resulting in repeated coverage by ice or water through drainage of melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible and a non-slip, non-corrosive and environmentally-friendly 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; and
- c) where an Owner of a Premises reasonably anticipates being absent, the Owner is required to make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw during such absence.

## **6.0 WATER, EAVESTROUGHS AND DOWNSPOUTS**

**6.1 2023-34** No Owner of a Premises shall permit, allow or cause water to flow or be directed from a hose or similar device on the Premises is directed towards an adjacent Premises if it is likely that the water from the hose or similar device will enter the adjacent Premises.

**6.2 2024-77** The Owner of a Premises shall ensure that any rainwater downspout or eavestrough on the Premises is directed towards:

- a) the front of the Premises;
- b) the rear of the Premises;
- c) a side yard that does not abut another premise; or
- d) a side yard that abuts another premise, only if there is a minimum of six (6) meters of permeable ground between the outfall of the downspout or eavestrough and the adjacent Premises.

**6.3** No Owner of a premise shall allow, permit or cause water from a premise to directly drain on to public property, such as with the use of a sump pump or hose.

## **7.0 CONSTRUCTION SITES**

**7.1** An Owner of a Premises or property under construction, renovation or demolition shall ensure that Building Materials and waste Building Materials on the Premises are contained and secured in such a manner that prevents such material from being blown off or scattered throughout or from the property.

**7.2** An Owner of a Premises or property under construction, renovation or demolition shall ensure that waste Building Materials and other refuse are removed from the property or collected and securely contained in appropriate waste bins or containers, that do not allow for the escape of the contents.

**7.3** An Owner of a Premises or property under construction, renovation or demolition shall ensure that waste building materials and other refuse are removed from the property within 48 hours of when the container or waste bin containing same becomes full and incapable of reasonably containing any further material.

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- 7.4 An Owner of a Premises or property under construction, renovation or demolition shall ensure that the property, building materials and equipment are kept in an orderly fashion, and that the property is kept free of excessive amounts of debris, refuse, garbage, scrap wood, metal, foam, plastics, or any other such materials associated with the construction, renovation, or demolition.
- 7.5 An Owner of a Premises or property under construction, renovation or demolition shall ensure that the premises or property is secured when dangers are present and when instructed to do so by an Enforcement Officer.
- 7.6 The town may withhold municipal services to an Owner of a Premises or property under construction, renovation, or demolition, or to a home builder, developer or other person or company undertaking such activity in relation to the premises, until any conditions of the Premises that is in contravention of this Bylaw has been remedied.

## **8.0 GRAFFITI**

- 8.1 The Owner or Owners of a Premises shall take all reasonable steps to ensure that any Graffiti placed on the exterior surfaces of any structures, chattels, or other property on the Premises is removed, painted over, or otherwise eliminated from public view within two (2) days of the Owner of the Premises being notified by an Enforcement Officer of the presence of the subject Graffiti and the requirement under this Bylaw that it be removed.

## **9.0 WASTE**

- 9.1 No Person shall Personally, nor by his employee, servant or agent discard, place, deposit or leave any Garbage, refuse, debris, or any other material upon any public property, other than in officially designated areas, within the Town.
- 9.2 No Person shall Personally, nor by his employee, servant or agent discard, place, deposit or leave any Garbage, refuse, debris, or any other material upon any private property, without the permission of the Owner of such property.
- 9.3 No registered Owner of a Vehicle shall be permitted to use that Vehicle to discard, place, deposit or leave any Garbage, refuse, debris, or any other material upon any public property.
- 9.4 Any Person who has contravened Section 9.1 or Section 9.2 of this Bylaw shall, within twenty-four hours after being so directed by an Enforcement Officer, remove the subject Garbage, refuse, debris or other material from the property and place it in the nearest officially designated area.
- 9.5 Where Garbage, refuse, debris or any other material has been discarded or left on private property without permission, the Owner of the private property is responsible for removal of such discarded material, and the Owner of the private property is responsible for ensuring that the subject property is maintained in compliance with the provisions of this Bylaw.

## **10.0 FALSE ALARM**

- 10.1 Where an Alarm System generates more than one False Alarm within any consecutive twelve-month period and the Fire Department or an Enforcement Officer have attended the Premises, the Owner or Occupant of the Property is guilty of the offence of making a False Alarm.

10.2 No person shall make or cause to be made any False Alarm.

## **11.0 ADDRESSING**

11.1 The Owner or Occupant of a Parcel is responsible for displaying a Municipal address.

11.2 <sup>2023-34</sup> A Municipal Address shall be affixed to a Building or Parcel not higher than the ceiling level of the ground floor or in an equivalent height in the case of other Buildings, and at least 1.2 metres above ground and be on a contrasting background and; the Municipal Address displayed shall be clearly visible from the Roadway. The minimum size of the characters of a Municipal Address shall meet the standards specified in "Appendix B".

11.3 The Owner of a Parcel which is a construction site and upon which a structure is being erected shall ensure that a temporary Municipal Address is displayed at all times in a conspicuous manner so as to be plainly visible from the roadway.

11.4 No Person shall display a Municipal Address that is not legible or clearly visible from the Roadway.

11.5 No Person shall display an incorrect Municipal Address that was not assigned by the Town.

11.6 No Person shall fail to maintain or otherwise allow a Municipal Address sign to fall into disrepair.

11.7 No Person shall fail to make any required changes to a Municipal Address within fourteen (14) days of written notification from the Town.

## **12.0 GENERAL NOISE**

12.1 Except as authorized by this bylaw, no Person shall make, cause, continue, or allow to be made, caused, or continued, any noise which is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.

12.2 Except as authorized by this bylaw, no Owner or Occupier of a Premises shall make, cause, continue, or allow to be made, caused, or continued, any noise which comes from the Premises and which is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.

12.3 No Person shall permit a vehicle located on a Premises to emit noise which would disturb the peace, enjoyment, comfort, or convenience of another individual, including, but not limited to, noise from excessive engine revving and music or amplification equipment in the vehicle.

12.4 No Owner or Occupier of a Premises shall permit a vehicle located on the Premises to emit noise which emanates from that Premises, including noise from excessive engine revving and music or amplification equipment in the vehicle, is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.

12.5 A person may be found guilty of a contravention of sections 12.1 to 12.4 whether or not the noise

a) is measured, or

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- b) if measured, exceeds any Sound Level limit prescribed by this bylaw.

12.6 In determining if a noise is likely to disturb the peace, enjoyment, comfort, or convenience of another individual, the following criteria may be considered:

- a) the type, volume, and duration of the noise,
- b) the time of day and day of week,
- c) the nature and use of the surrounding area,
- d) the Sound Level in decibels, if measured, and
- e) any other relevant factor.

12.7 A Person shall not cause or permit any noise exceeding a Sound Level of 60 decibels (dBA) as measured at the property line of a property in a Residential Area between the hours of 10:00 p.m. and 7:00 a.m.

12.8 An Owner or Occupier shall not allow a property that they own or occupy to be used in a manner that results in noise coming from the property to exceed a Sound Level of 60 decibels (dBA) as measured at the property line of a property in a Residential Area between the hours of 10:00 p.m. and 7:00 a.m.

12.9 No Person in a Residential Area between the hours of 10:00 p.m. and 7:00 a.m. shall operate or use:

- a) a lawn mower,
- b) a Motorized Garden Tool,
- c) a Power Tool outside of any building or Structure,
- d) a snow clearing device powered by an engine of any kind, or
- e) a motorized snow or leaf blowing device.

12.10 No Person shall load or unload a Truck or Garbage Truck in a Residential Area or within 150 metres of a Residential Area between the hours of 10:00 p.m. and 7:00 a.m.

12.11 Notwithstanding section 12.10, a Person may, at any time, unload a vehicle containing:

- a) fresh produce, grocery and perishable merchandise including milk products and baked goods, or
- b) daily or weekly newspapers being delivered to vendors.

12.12 Notwithstanding section 12.10, a Person may load a Garbage Truck between 6:00 a.m. and 10:00 p.m. on any day.

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- 12.13 No Person shall operate an Outdoor Speaker System during the Nighttime on a parcel where the property line of the parcel is within 150 metres of a Residential Area.
- 12.14 Notwithstanding section 12.9 (a), (b), and (c), it is not an offence to use a Motorized Garden Tool, lawn mower, or other grass cutting device on a golf course between the hours of 5:30 a.m. and 9:00 a.m. on any day of the week.
- 12.15 Notwithstanding section 12.9 (d) and (e), a person may operate a snow clearing device powered by an engine for the purpose of commercial and non-commercial removal of snow and ice from streets, parking lots and Sidewalks during the forty-eight-hour period following a snowfall, rain or freezing rain, subject to the authority of the chief administrative officer, in their sole discretion, to withdraw this exception on a site-specific basis.
- 12.16 No drinking establishment shall permit any noise to emanate from the premises of such drinking establishment that annoys or disturbs any person outside the boundary of the drinking establishment. Section 12.2 of this bylaw applies to this provision.

### **13.0 CONSTRUCTION NOISE**

- 13.1 A Person shall not cause or permit any Construction activity on property they own or occupy
  - a) between the hours of 10 p.m. and 7 a.m. on any Weekday,
  - b) between the hours of 10 p.m. and 9 a.m. on any on Saturday, Sunday or statutory holiday,
  - c) at any time contrary to a written notice issued by the chief administrative officer pursuant to section 15.

### **14.0 CONSTRUCTION NOISE EXEMPTIONS**

- 14.1 Subject to section 14.2, the chief administrative officer may, by written notice, direct that a person shall not cause or permit any Construction activity or certain types of Construction activity on property they own or occupy during the time specified in the written notice.
- 14.2 Prior to issuing a written notice pursuant to section 14.1, the chief administrative officer must consider:
  - a) the proximity of the Construction activity to adjacent properties,
  - b) the nature of the Construction activity occurring on the property,
  - c) the nature and use of adjacent properties,
  - d) the number and nature of previous complaints regarding the Construction activity occurring on the property received by the chief administration officer,

- e) the intended schedule for completion of the Construction activity occurring on the property, including the potential impact of noise-restricted hours on the completion of the Construction activity, and
- f) any other factor deemed relevant by the chief administrative officer related to the Construction activity occurring on the property.

## **15.0 GENERAL NOISE EXEMPTIONS**

15.1 The CAO, or designate, may issue a temporary permit exception to this section of the Bylaw.

- a) the request for a temporary permit must be in writing and be received by the Town 7 days prior to the date in the application.
- b) the request must include the following:
  - I. the name address and telephone number of the applicant;
  - II. the date, location and nature of the noise source;
  - III. reason for the exception; and
  - IV. the period that the allowance is desired.

15.2 The CAO may in their sole discretion:

- a) issue a temporary permit;
- b) deny the temporary permit;
- c) issue the temporary permit with specific conditions; or
- d) revoke the permit.

15.3 The provision of this bylaw shall not apply to:

- I. work performed in relation to a highway, public utility by the owner or agent of the public utility or its contractors;
- II. any activity within the sole jurisdiction of the Government of Canada or the Province of Alberta;
- III. any activity carried on by the Town, the Town employees or Town contractors;
- IV. any Person who carries on an agricultural operation pursuant to the *Agricultural Operation Practices Act*;
- V. any Person performing work of an emergency nature for the preservation or protection of life, health, or Property;

- VI. the use of Motorized Garden Tools in Residential Areas where the tool is used during the Daytime and for less than three (3) hours during any given day;
- VII. Construction in Residential Areas during the Daytime, whether or not the Construction requires any Town permits;
- VIII. the operation of air conditioning units and heat pumps in Good Repair;
- IX. the operation of emergency equipment or any emergency vehicle; or
- X. an Enforcement Officer engaged in performing his duty.

15.4 No Person shall fail to comply with conditions The CAO, or designate, placed on a temporary permit exception.

## **16.0 EXEMPTIONS AND EXCEPTIONS**

16.1 The provisions of this Bylaw shall not be interpreted to prevent bona fide and lawfully permitted commercial, industrial, agricultural, construction, demolition, renovation, landscaping, clean-up, storage, or other legally approved activities from being carried out on, or in relation to a Premises.

16.2 The Owner or Owners of a Premises that legally carries on or permits the carrying on of any of the activities referred to in Section 16.1 of this Bylaw shall ensure that all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightly condition of the Premises.

16.3 When making the determination, as required by Section 16.2, as to whether the Owner of a Premises has taken "all reasonable steps to minimize the duration and visual impact" of the unsightly condition resulting from the particular legally permitted activity, the Court's considerations may include any admissible evidence as to any of the factors noted in Section 3.7 of this Bylaw.

## **17.0 VEHICLES, TRAILERS, RECREATIONAL VEHICLES AND OTHER PROPERTIES**

*2023-34*

17.1 No Owner of Premises shall allow, permit or continue to allow or permit any of the following:

- a) a vehicle, regardless of condition, as defined in the Traffic Safety Act;
- b) a trailer or camper;
- c) a recreational vehicle;
- d) an off-highway vehicle, as defined in the Traffic Safety Act;
- e) any self-propelled mechanical or construction equipment;
- f) a boat or personal watercraft; or
- g) storage containers or moving pods

to be parked or stored on the property, except upon a driveway constructed of either crushed gravel, cement, concrete, pavement, aggregate, on any other materials unless otherwise approved by the

Chief Administrative Officer or pursuant to a development permit or other valid permit issued by the Town.

- 17.2 Section 17.1 of this bylaw excludes vehicles and trailers engaged in active loading or unloading processes, those actively involved in on-site construction or demolition, or those about to commence such work on the Premises.
- 17.3 Vehicles, trailers, or properties as defined in section 17.1 may not be parked or stored in a way that obstructs sightlines.
- 17.4 Vehicles, trailers, or properties as defined in section 17.1 parked or stored on a property must be fully contained within the property. No portion is permitted to protrude into a street, laneway, sidewalk, highway or municipal property.
- 17.5 An Enforcement Officer may require a Vehicles, trailer, or properties as defined in section 17.1 parked or stored on a property pursuant to subsection 17.1 to be removed from the lot or relocated within the lot if in the opinion of the Enforcement Officer:
  - a) the size of a Vehicles, trailer, or property;
  - b) the location of a Vehicles, trailer, or property on a lot;
  - c) the cumulative impact of the number of Vehicles, trailer, or property on a lot; creates a material risk to the health or safety of any person.
- 17.6 If requested by an Enforcement Officer, the Premises Owner must promptly relocate any vehicle, trailer, or property as defined in section 17.1.
- ~~17.7~~<sup>34</sup> Section 17 of this bylaw does not supersede any requirements in place under a development approved by the Development Authority.

## **18.0 BYLAW COMPLIANCE NOTICES**

- 18.1 Where the Owner of a Premises is found to be in non-compliance with any provision of this Bylaw, an Enforcement Officer may issue and serve upon the Owner of the Premises a bylaw compliance Notice containing the following:
  - a) the address and/or physical location where remedial action is required;
  - b) the condition or conditions that are not in compliance with this Bylaw;
  - c) the remedial action that is required;
  - d) the deadline for completion of the remedial action required (except Notices issued in relation to Sections 4 and 5 (weed and grass control or snow and ice removal). The deadline for completion of the remedial action must not be less than 14 days from the date of service of the Notice and must not be greater than 30 days from the date of service of the Notice;
  - e) where the Notice regarding the removal of weeds or the cutting of grass is issued and served pursuant to this Section, and the specified remedial action is not taken within 72

hours, the Town may take all reasonable measures to remedy in a timely manner any or all conditions specified in the Notice.

- 18.2 An application for an extension of the deadline prescribed by a Bylaw compliance Notice for the completion of the remedial action required (excepting Notices issued in relation to weed and grass control or snow and ice removal) must be applied for in writing to the Enforcement Officer within 7 days of receipt of the Notice. The extension application must include the reasons why the deadline extension is required. Any deadline extension allowed by the Enforcement Officer may not extend more than 30 days past the original prescribed deadline for completion, and any such extension is issued at the sole discretion of the Enforcement Officer.
- 18.3 Where a Notice regarding the removal of snow or ice from sidewalks is issued and served pursuant to this Section, and the specified remedial action is not taken within twenty-four hours, the Town may take all reasonable measures to remedy in a timely manner any or all conditions specified in the Notice.
- 18.4 Where a Notice regarding the removal of weeds or the cutting of grass is issued and served pursuant to this Section, and the specified remedial action is not taken within 72 hours, the Town may take all reasonable measures to remedy in a timely manner any or all conditions specified in the Notice.
- 18.5 Any Notice issued pursuant to this Section will be deemed to have been sufficiently served upon the Owner of the Premises:
  - a) when served Personally upon the Owner, or served substantially upon any Person who is 18 years of age or older who resides in the subject Premises, if the Premises is occupied by the Owner;
  - b) when served Personally upon an occupant of the Premises who is 18 years of age or older, or the manager or Person apparently in charge of the Premises, if the Premises is not occupied by the Owner;
  - c) when posted at a conspicuous location on the Premises; or
  - d) when mailed by regular mail to the Owner of the Premises using the address provided by the Owner and on record with the Town of Diamond Valley as the mailing address for the Owner of the Premises.
- 18.6 Where a Notice has been previously issued to an Owner pursuant to this Section in relation to Sections 4 and 5 (weeds and grass control or snow and ice removal) of this Bylaw and another similar non-compliant condition occurs within a six-month period, the necessary and required remedial action may be undertaken by the Town without any further notice being issued to the owner.
- 18.7 The Owner of a Premises who has been issued a remedial Notice pursuant to Section 18.1 of this Bylaw shall fully comply with the Notice within the initial or subsequently extended time allowed for the subject remedial measures to be completed.
- 18.8 The Owner of a Premises is responsible for all expenses incurred to remedy the Bylaw contravention. If the Owner of a Premises does not comply with a Bylaw Compliance Notice within the specified time,

the Town may take remedial actions or measures at the expense of the Owner pursuant to the provisions of the *Municipal Government Act*.

18.9 In the event that any Person fails or neglects or refuses to remedy any condition which has been found to be in contravention of this bylaw, after having been issued a Notice or Order to remedy such, in accordance with the provisions of the *Municipal Government Act*, Council or a designated Committee of Council may cause such work to be completed as is considered necessary to remedy such condition and charge the cost of such work to the Owner or occupant and in default of payment:

- a) the Town may recover the cost as a debt due to the municipality, or
- b) charge the cost against the land concerned as taxes due and owing in respect of that land and to recover the cost as such.

**19.0 APPEALS OF BYLAW COMPLIANCE NOTICES**

19.1 Any Bylaw Compliance Notice issued pursuant to Section 18 of this Bylaw, excepting Notices issued in relation to Section 4 and 5 (weeds and grass or snow and ice on sidewalks), may be appealed the designated committee of council by delivering a written appeal to the Town Office within 7 days of the Owner's receipt of the subject Notice. The appeal must be in written form and provide all of the appellant's contact information, and a detailed basis of the appeal. Any appeal must be made by the Person to whom the subject Notice was directed, the registered Owner of the subject Premises, or either of their authorized designates.

19.2 Upon receipt of a written appeal submitted pursuant to Section 19.1, to the designated committee of council will review the subject remedial Notice, the enforcement file, the Bylaw, the written appeal, and any materials provided therewith. The designated committee of Council may decide to uphold, vary, or revoke the subject remedial Notice, and will communicate such decision to the appellant in writing within 10 days of the receipt of the appeal, including, where applicable, the date by which the upheld or varied remedial Notice must be complied with.

The designated committee of council in making a decision regarding the appeal shall use the criteria of whether in issuing the Remedial Notice, the Bylaw was applied by the enforcing officer.

19.3 Where remedial measures are taken pursuant to Sections 19.3 or 19.4 of this Bylaw (weeds and grass or snow and ice on sidewalks) and cost recovery action is commenced by the Town, an appeal only as to the amount of the debt owing to the Town may be made to the designated committee of council by delivering a written appeal to the Town Office within seven (7) days of the Owner being notified of such cost recovery action.

19.4 Upon receipt of a written appeal submitted pursuant to Section 19.1, the designated committee of council will review the subject remedial Notice, the enforcement file, the bylaw, the costs of the remedial action taken by the Town, the written appeal, and any other circumstances that are considered relevant to the subject appeal. The designated committee of council may decide to uphold, vary, or cancel the subject debt owing to the Town, and will communicate such decision to the appellant in writing within 10 days of the receipt of the appeal.

19.5 Where a written appeal of a Bylaw compliance Notice is submitted in the accordance with the provisions of Section 19.1 Of this Bylaw, the time period remaining before the expiry of the deadline for compliance as prescribed by the subject Notice shall be suspended until the final determination of the appeal has

been provided to the appellant. At that time, if the Notice is either upheld or varied, the revised deadline for compliance shall be not less than the time period that remained before the expiry of the original deadline for compliance on the date that the appeal was submitted.

## **20.0 ENFORCEMENT**

20.1 Where an Enforcement Officer has reasonable grounds to believe that a Person has contravened any provision of this Bylaw, the Enforcement Officer may commence proceedings against such Person by:

- a) issuing the Person, a Violation Ticket pursuant to the provisions of the Provincial Offences Procedure Act;
- b) swearing out an Information and Complaint against the Person; or
- c) in lieu of prosecution, issuing the Person a Bylaw Violation Tag in a form as approved by the Chief Administrative Officer.

20.2 Where an Enforcement Officer issues a Person a Violation Ticket in accordance with Section 20.1(a) of this Bylaw, the Officer may either:

- a) allow the Person to pay the specified penalty as provided for in Appendix "A", which is hereunto attached and forms part of this Bylaw, by indicating such specified penalty on the Violation Ticket; or
- b) require a Court appearance of the Person where the Enforcement Officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the *Provincial Offences Procedure Act*.

20.3 Where a Bylaw Violation Tag is issued to a Person and is not paid within 14 days of the date of issue, the Enforcement Officer may proceed by way of prosecution in accordance with Sections 20.1(a) or 20.1(b) of this Bylaw.

20.4 No provision of this Bylaw nor any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent or preclude an Enforcement Officer or the Town from pursuing any other action or remedy in relation to a Person, Premises, or nuisance provided by the *Municipal Government Act*, any other law of the Province of Alberta, or any other Bylaw of the Town.

20.5 A Person shall not prevent or obstruct an Enforcement Officer from carrying out any official duty authorized by the provisions of this Bylaw or by the provision of the *Municipal Government Act*.

## **21.0 GENERAL PENALTY PROVISION**

21.1 Any Person that violates any provision of this Bylaw is guilty of an offence and is liable upon conviction to a maximum fine of \$10,000 or in default of payment of the fine to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

## **22.0 MINIMUM AND SPECIFIED PENALTIES**

22.1 The specified and minimum penalties, and penalties in lieu of prosecution payable for a violation of any of the provisions of this Bylaw are as is set out in Appendix "A", which is hereunto attached to and forms part of this Bylaw, and which may be amended from time to time.

**23.0 SEVERABILITY**

23.1 It is the intention of Town Council that each provision of this Bylaw should be considered as being separate and severable from all other provisions. Should any section or provision of this Bylaw be found to have been improperly enacted, or otherwise of no force or effect, then such section or provision shall be regarded as being severable from the remainder of this Bylaw, and that the Bylaw remaining after such severance shall remain of full force and effect.

**24.0 STRICT LIABILITY OFFENCE**

24.1 It is the intention of Town Council that all offences created by this Bylaw be interpreted to be strict liability offences.

**25.0 REPEAL OF PRIOR BYLAWS**

25.1 This bylaw repeals the following bylaws in its entirety and all amendments thereto:

Town of Black Diamond "Civic Addressing Bylaw" #2020-04  
Town of Turner Valley "House Number Bylaw" #08-968  
Town of Black Diamond "Alarm Systems Bylaw" #04-07  
Town of Turner Valley "Property Responsibility Bylaw" #20-1107  
Town of Black Diamond "Public Order Bylaw" #04-11  
Town of Black Diamond "Unsightly Property Bylaw" #05-06

*2023-34 Deleted*

**26.0 EFFECTIVE DATE**

26.1 This bylaw shall come into force and effect on the date of the third and final reading.

**READ A FIRST TIME** on the 4<sup>th</sup> day of October, 2023

**READ A SECOND TIME** on the 1<sup>st</sup> day of November, 2023

**READ A THIRD AND FINAL TIME** on the 1<sup>st</sup> day of November, 2023

*Original Signed*  
\_\_\_\_\_  
Mayor

*Original Signed*  
\_\_\_\_\_  
Chief Administrative Officer

2023-34

## APPENDIX "A"

## PENALTIES

SECTION	OFFENCE	SPECIFIED PENALTY	MINIMUM PENALTY
3.1	Permit/cause /allow Premises to be unsightly	\$250.00	\$150.00
3.2	Allow premise to become a danger to public safety	\$1000.00	\$750.00
3.3	Allow activity on Premises to become a nuisance	\$1000.00	\$500.00
3.5	Owner allows excessive accumulation of Building Materials	\$500.00	\$200.00
3.6	Owner fails to store Building Materials in orderly fashion	\$500.00	\$200.00
4.1	Owner fails to control grass/weeds on property or boulevard/alley	\$250.00	\$150.00
4.2	Allow tree/foliage to encroach upon public property/ impede public property	\$250.00	\$150.00
4.3	Allow trees/foliage to interfere with public utility	\$750.00	\$500.00
4.5	Owner allows grass/weeds on property to exceed 15cm	\$250.00	\$150.00
4.6	Fail to remove dead brush/grass or rubbish, that may attract pests or vermin	\$250.00	\$150.00
4.7	Fail to maintain a buffer of 5 meters inside their property line where it borders the residential property(ies) and ensure it is free and clear of weeds	\$250.00	\$150.00
4.9	Allow/permit/cause smoke/dust to impact enjoyment of others property	\$250.00	\$150.00
4.10	Allow/permit/cause noxious/offensive odors to impact others enjoyment of property	\$250.00	\$150.00
5.1 (a)(b)	Owner fails to remove snow/ice from sidewalk within 48 hours of deposit	\$250.00	\$150.00
5.1 (c)	Deposit snow/ice onto highway or public lands	\$250.00	\$150.00
5.2 (b)	Fail to apply non-slip material onto ice-covered sidewalk	\$250.00	\$150.00
6.1	Owner improperly drains water on to adjacent premises	\$250.00	\$150.00
6.2	Owner improperly direct downspout or eavestrough	\$250.00	\$150.00
6.3	Owner drain water directly on to public property	\$250.00	\$150.00
7.1	Fail to secure materials on construction sites	\$750.00	\$350.00
7.2	Fail to secure construction waste on site	\$750.00	\$350.00
7.3	Fail to have full waste bin removed within 48hrs	\$750.00	\$350.00
7.4	Fail to keep construction site in orderly fashion free of excessive debris/materials	\$750.00	\$350.00
7.5	Fail to keep construction site secured when dangers are present or when instructed to do so	\$1000.00	\$750.00
8.1	Owner fails to remove Graffiti within 2 days	\$250.00	\$150.00
9.1	Dumping on public property	\$500.00	\$250.00
9.2	Dumping on private property	\$500.00	\$250.00
9.3	Registered owner of vehicle involved in improper disposal of waste/litter/debris on public property	\$1000.00	\$750.00
9.4	Fail to remove dumped material as directed	\$1000.00	\$750.00

9.5	Owner of property fails to dispose of illegally dumped waste/litter/debris, as directed	\$500.00	\$250.00
10.2	Person makes or cause to be made a False Alarm	\$500.00	\$250.00
11.1	Fail to affix/display Municipal Address	\$250.00	\$150.00
11.2	Fail to meet specified Municipal Address standards	\$250.00	\$150.00
11.3	Construction Site fail to display Municipal Address	\$250.00	\$150.00
11.4	Municipal Address not legible or clearly visible from the Roadway	\$250.00	\$150.00
11.5	Fail to display correct Municipal Address	\$250.00	\$150.00
11.6	Fail to maintain Municipal Address sign	\$250.00	\$150.00
11.7	Fail to comply with written direction	\$500.00	\$250.00
12.1	Person make/cause Noise	\$250.00	\$150.00
12.2	Permit Noise to emanate from a Property	\$250.00	\$150.00
12.9	Operate equipment in residential area during nighttime	\$250.00	\$150.00
12.10	Load/unload truck or garbage truck in residential area or within 150m during nighttime	\$250.00	\$150.00
12.13	Operate an Outdoor Speaker System during Nighttime within 150m of residential area	\$250.00	\$150.00
12.16	Drinking establishment allow/ permit any noise to emanate from the premises	\$500.00	\$250.00
13.1	Permit construction on property outside of approved days and hours	\$1000.00	\$500.00
15.4	Fail to comply with conditions on a general noise exemption permit	\$1000.00	\$500.00
16.2	Fail to minimize duration and impact of unsightly condition resulting from lawful and permitted activities	\$500.00	\$250.00
17.1	Fail to park/store Vehicles, trailers, or properties on driveway	\$250.00	\$150.00
17.3	Vehicles, trailers, or properties parked or placed obstructing sightline	\$250.00	\$150.00
17.4	Vehicles, trailers, or properties parked or placed encroaching on municipal land	\$250.00	\$150.00
17.5	Fail to remove Vehicles, trailers, or properties parked or placed on property after being directed	\$1000.00	\$750.00
18.1 (d)	Fail to comply with Notice (Snow Ice)	\$500.00	\$250.00
18.1 (e)	Fail to comply with Notice (Grass/Weeds)	\$500.00	\$250.00
18.7	Fail to comply with Notice	\$1500.00	\$750.00

1. If a Person violates the same provision of this Bylaw twice within a three-year period, the minimum and specified penalties for the second such violation shall be double the amounts provided above.
2. If a Person violates the same provision of this Bylaw three or more times within a five-year period, the minimum and specified penalties for the third or subsequent such violation shall be triple the amounts provided above.
3. The penalty in lieu of prosecution payable for a violation will be the minimum penalty as provided above.

## APPENDIX 'B'

The minimum size of the characters of a Municipal Address shall be:

<b>Building Setback from Adjacent Roadway</b>	<b>Minimum Character Size</b>
0 – 15m (0 – 49.2 ft.)	10 cm (4 inches)
15 – 20m (49.2 – 65.6 ft.)	15 cm (6 inches)
Greater than 20m (65.7 ft.)	20 m (8 inches)