



## AGENDA

### Committee of the Whole Meeting

4:30 PM – Monday June 7, 2021

Virtual Remote Meeting & Live Stream on Drumheller Valley YouTube Channel

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1. CALL TO ORDER

2. OPENING REMARKS / DELEGATIONS

- 2.1 Proclamation: Pride Month - June  
Badlands Pride Association

[Badlands Pride Association Information – 2021June3](#)

- 2.2 Dickson Dam Presentation – Carlin Soehn, B.Sc., Water Infrastructure & Operations  
Branch, Alberta Environment & Parks

[Dickson Dam Presentation – 2021June3](#)

3. REPORTS FROM ADMINISTRATION

3.1. CHIEF ADMINISTRATIVE OFFICER

- 3.1.1 Tourism Corridor Bylaw 04.19  
Community Standards Bylaw 06.19  
Tourism Corridor and Community Standards Appeal Bylaw 08.19

[Tourism Corridor Bylaw 04.19 – 2021June3](#)

[Community Standards Bylaw 06.19 – 2021June3](#)

[Tourism Corridor and Community Standards Appeal Bylaw 08.19– 2021June3](#)

- 3.1.2 Strategic Priorities Progress Update – Bylaws Plan

3.2. CHIEF FINANCIAL OFFICER

- 3.2.1 Strategic Priorities Progress Update – Red Tape Reduction

3.3. DIRECTOR OF EMERGENCY AND PROTECTIVE SERVICES

- 3.3.1 Covid Update

3.4. DIRECTOR OF INFRASTRUCTURE

3.4.1 Strategic Priorities Progress Update – Rotary Park Fountain; Scatter Garden

4. ADJOURNMENT

# Badlands PRIDE Association

## Mission, Vision & Values

### Who We Are:

Badlands PRIDE is an independent group of activists, advocates, and allies dedicated to serving the unique needs of Drumheller's 2SLGBTQIA+ community through direct outreach and activism. Our focus is awareness, community support, and inclusion. We are not, at this time, a registered non-profit association or charity. We have no corporate, financial, or political affiliations.

### Mission Statement:

Badlands PRIDE serves the community to support and promote 2SLGBTQIA+ members, allies and related organizations in and around the Drumheller area.

### Our Vision:

Badlands PRIDE envisions a community and society free of anti-LGBTQ prejudice, bigotry and hate. We work to promote unity, inclusion, and awareness of sexual and gender diversity and aim to create a sense of community and safe spaces for 2SLGBTQIA+ individuals, their families and their allies.

### Our Values:

- **Social Justice:** Mobilizing community leaders for intersectional work and social justice.
- **Youth Voice & Action:** Giving youth a voice and opportunity in leadership.
- **Empowerment:** Empowering community members for positive change in society.
- **Positive Change:** Building stronger 2SLGBTQIA+ and ally communities in and around the valley.
- **Diversity:** Celebrating and recognizing diversity.

### Anti-Racism Statement:

Badlands PRIDE believes anti-racism work is LGBTQ work, and as such identifies promoting anti-racism as an integral part of its mission. The rich and diverse voices and stories of people of color are important and often silenced. Badlands PRIDE recognizes the liberation of people of color as central to dismantling all forms of oppression. In accordance with these values, Badlands PRIDE commits to the following actions:

- Empowering and uplifting the voices of queer and trans people of color.
- Continuing our commitment to offering equitable access to Badlands PRIDE resources and programs.
- Acknowledging and celebrating the accomplishments of queer and trans people of color
- Having a diverse board that is representative of the community we serve.



# Drumheller Pride Week 2021

**June 6-12, 2021**

(to be held annually first full week in June)

\*Due to the current covid-19 restrictions, all events are subject to change.

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## **Schedule of Events**

### **Sunday: Drag your Ride Parade**

1pm meet at Extra Foods sw corner  
Car parade leaving at 1:30pm  
North on HWY 9, through lights, north on 5th Street E  
Turn left, west on 3rd Ave E  
North on 2 Street W to Rotary Park  
\*\*BONUS EVENT\*\* - Flag Raising at the Fountain at 2:00pm

### **Monday: Paint the Crosswalk (Town Hall)**

3-7pm - requires sign up for gathering size restrictions  
Crosswalk provided by the Town of Drumheller  
Sanitization table, masks  
Music

### **Tuesday: No Gender Roles Day**

DVSS GSA  
Spend the day learning that gender is a construct  
Round Table at 7pm live on Facebook

### **Wednesday: Reading with Royalty**

Book: Its OK to be Different by Sharon Purtill Read by: Roxxie Cotton  
Streamed on Facebook and Instagram at 7pm

### **Thursday: Glitter Gnome Craft Corner (at the Plaza)**

3-7pm - requires sign up for gathering size restrictions  
Garden Gnomes sponsored by Seapearls Ceramic Works  
Sanitization table, masks

### **Friday: The Dino Makeover (outside Ascend Financial)**

3-7pm - requires sign up for gathering size restrictions  
Dino sponsored by Dino-Arts  
Sanitization table, masks

### **Saturday: Pride Outside**

Dress in your Pride and get outside  
Share your adventures with us online with our hashtag #DrumHasPride  
Social Distancing must be maintained & masks worn  
Look for Distance Drag performers start at 6pm

# Alberta Environment & Parks Water Infrastructure Operations Branch

## Dickson Dam Operations



June 7, 2021

Town of Drumheller – Council Meeting  
Carlin Soehn – OI Manager

Alberta  
Classification: Protected A

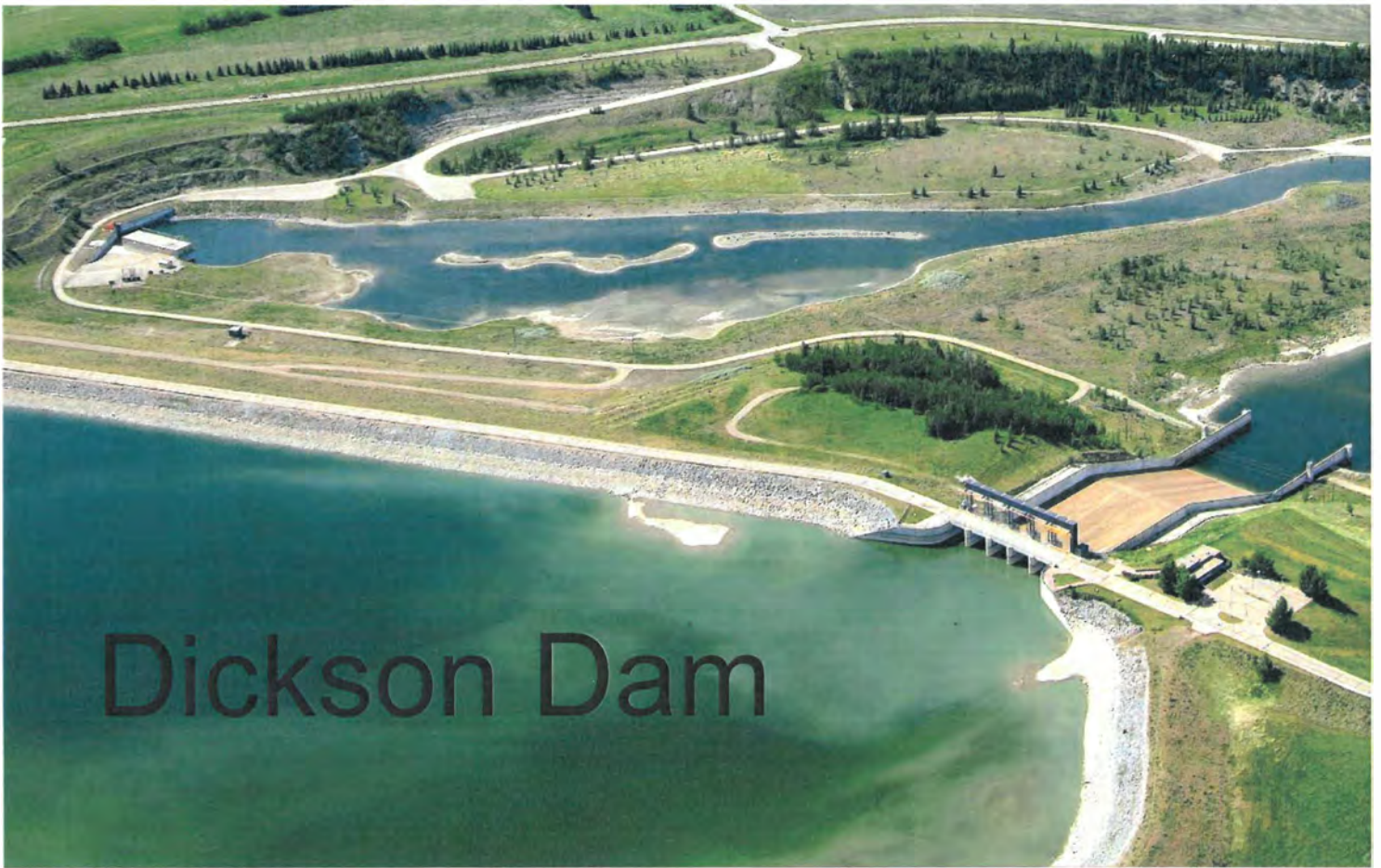
## Water Infrastructure Operations Branch

- Component of Resource Stewardship division, Alberta Environment and Parks ministry
- Responsible for operations, maintenance, and surveillance of over 200 major water management infrastructure projects / systems valued at over \$9.0 billion
- Infrastructure includes reservoirs, dams, irrigation diversion head works, weirs, flood protection dykes, pump houses and canal systems.
- 4 extreme, 10 very high consequence dams
- 4 provincial fish hatcheries
- Over 145 staff located throughout Alberta



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Classification: Protected A

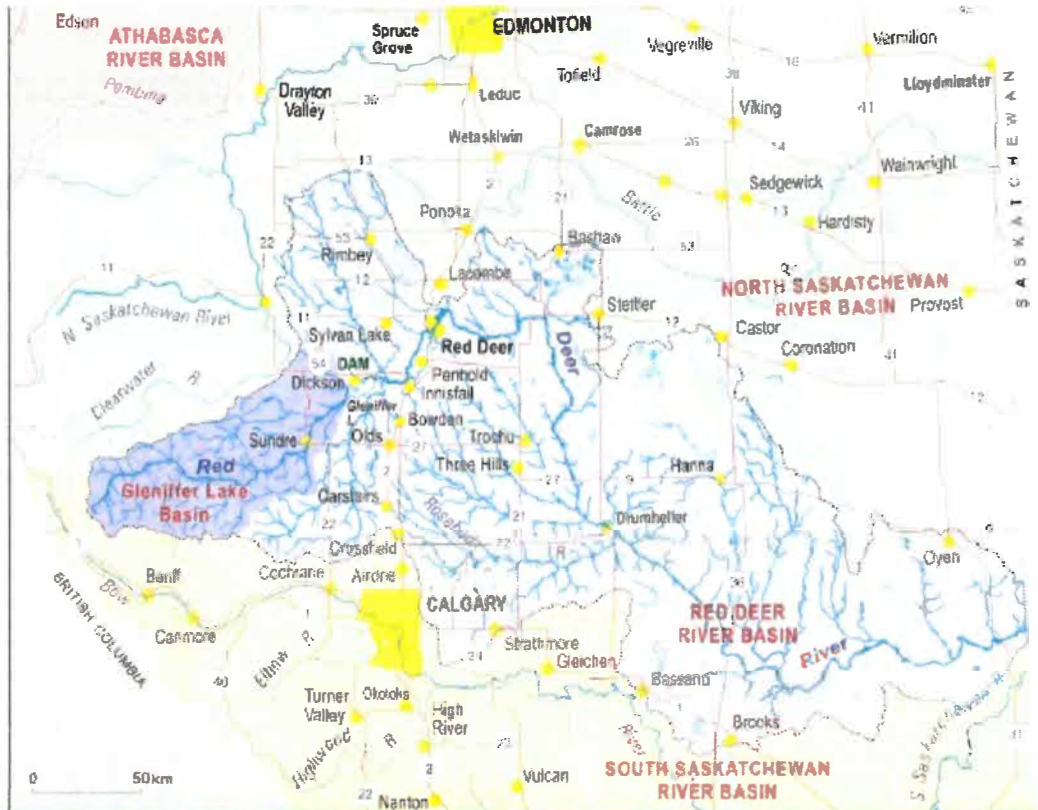




# Dickson Dam



Alberta Provincial Map



# Dam Safety Management Program

- Geotechnical instrumentation monitoring and evaluation
- Comprehensive inspection and maintenance program
- Development of OM&S manuals
- SCADA systems
- Independent APRs and DSRs
- Distribution and testing of ERP's and EPP's
- Stakeholder engagement
- Development and training of operational procedures to manage floods



## Purpose of Dickson Dam

### Primary Benefit

- Assured and reliable year round water supply to downstream users (municipal, industrial, agriculture)

### Secondary Benefits

- Hydro electric power generation (up to 15 MW)
- Flood attenuation
- Improved water quality
- Recreation
- Improved fisheries habitat
- Apportionment



# Gleniffer Reservoir / Dickson Dam

- 11 km long X 2 km wide reservoir
- 203,000,000 cubic meters of water capacity
- Normal reservoir operating range of approximately 7-8 meters
- 4 full time on-site operations and maintenance technologists and off-site operations manager
- 24/7/365 monitoring of the site
- Redundant back-up systems for all critical operating equipment

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# Operational Facts of Interest

- Minimum discharge requirement – 16 cubic meters per second (m<sup>3</sup>/s)
- Historical low flows – less than 2 m<sup>3</sup>/s
  - Prior to the construction, water flow in the Red Deer River would drop this low in winter months.
- Maximum discharge capacity – 5300 m<sup>3</sup>/s
- Highest reservoir inflow – 2372 m<sup>3</sup>/s on June 19, 2005
- Highest discharge – 1570 m<sup>3</sup>/s on June 19, 2005
- Largest recorded flood in the Red Deer river basin prior to construction of Dickson Dam in 1915 (1930 m<sup>3</sup>/s @ Red Deer gauge)

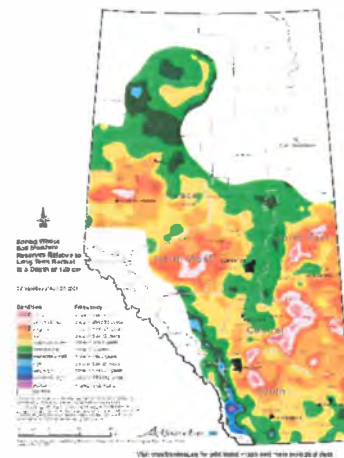
## Operating Philosophy

- Through capturing and storing water in the reservoir throughout spring and summer months, operators are able to supplement river flow during winter months to maintain a consistent minimum flow of 16 m<sup>3</sup>/s.
    - provides improved water quality for aquatic ecosystem, and human consumption, while also generating a peak 15 megawatts of hydroelectric power as water flows from the reservoir.
1. Primary operating objective is to fill the reservoir by September-October in preparation for providing winter supplemental flows downstream.
  2. Reservoir levels will drop considerably over the winter months while supplementing flows, creating empty storage which operators can then use to help attenuate potential flood events in May-June.
  3. The reservoir will capture spring runoff (localized prairie snow-melt) in March-April to prevent ice jam induced flooding downstream when the river is still frozen over.
  4. The reservoir must start filling by capturing mountain snow runoff beginning in late May and into June to insure the reservoir is full coming into the next winter cycle.
  5. Filling of the reservoir continues in July-August to meet primary objective.

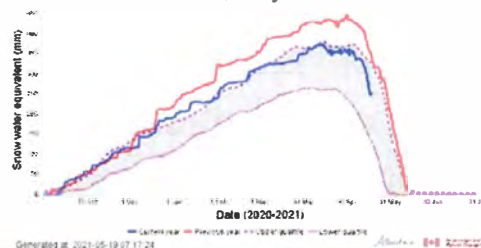
# Operational Planning

• Reservoir fill cycle (timing and levels) varies year-to-year depending on various basin conditions:

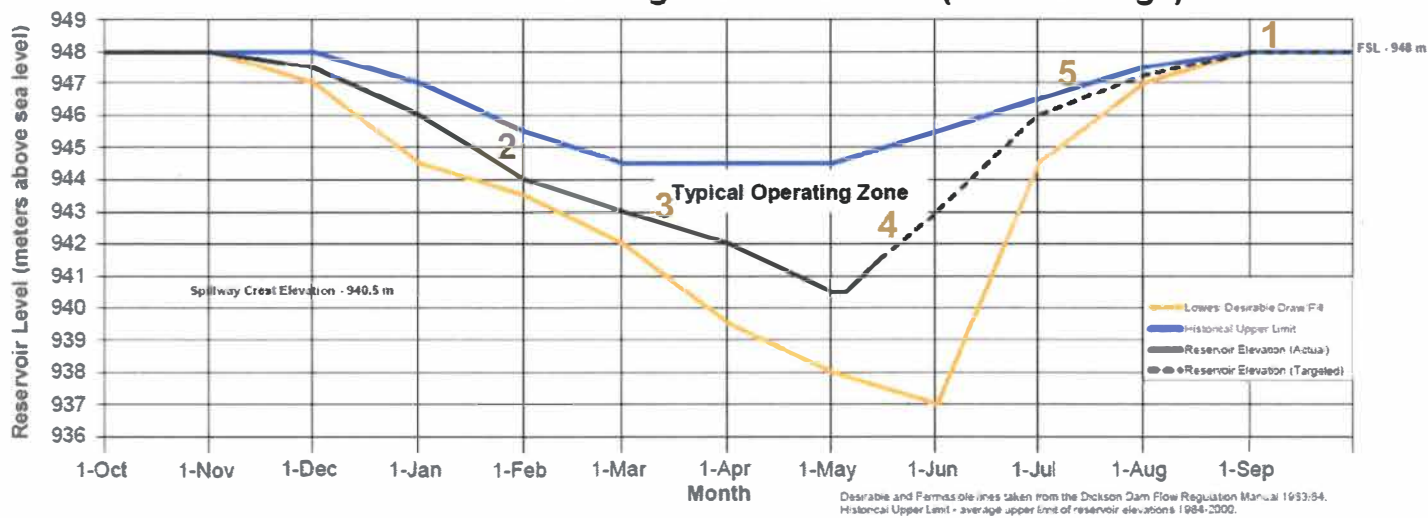
- Current reservoir levels / available storage
- Snow pillow monitoring (levels/volume/ melt timing)
- Soil moisture conditions
- Basin water supply outlook
- Operators create reservoir fill plan for spring/summer based on above data (adaptable for wet/dry year)
  - Water Supply Risk vs. Flood Risk
  - Gate testing, spring maintenance checks



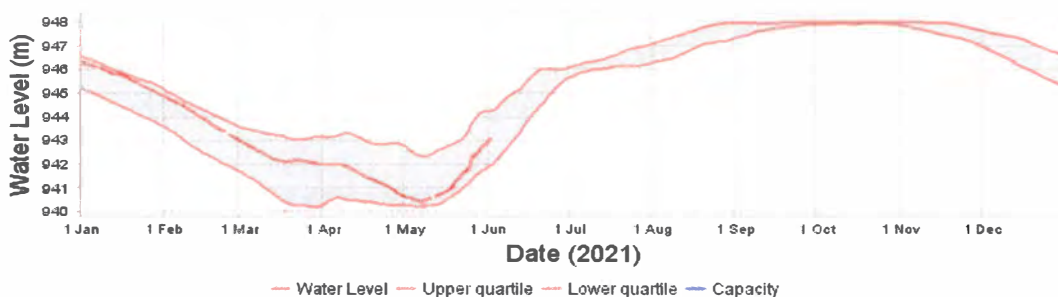
Snow water equivalent for the current year (blue), the previous year (red), and the normal range (grey) for station 05CA805  
Skoki Lodge



## Dickson Dam Reservoir Regulation Schedule (Normal Range)



## Gleniffer Reservoir near Dickson





# Managing Floods in the Red Deer River Basin



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## What Causes Flooding In Alberta?

### Snowmelt

#### Plains (March – April)

- Only smaller streams affected (Little Red, Medicine, etc.)
- No flooding of major rivers by plains snowmelt

#### Mountains (May – July)

- No flooding of major rivers by mountain snowmelt alone

### Rainfall

- Affects all rivers in Alberta
- Flooding along major rivers is caused by heavy rainfall or heavy rainfall during mountain snowmelt

### Ice Jams

- Can occur during plains snowmelt (March-April)
- Jams are very localized and difficult to predict

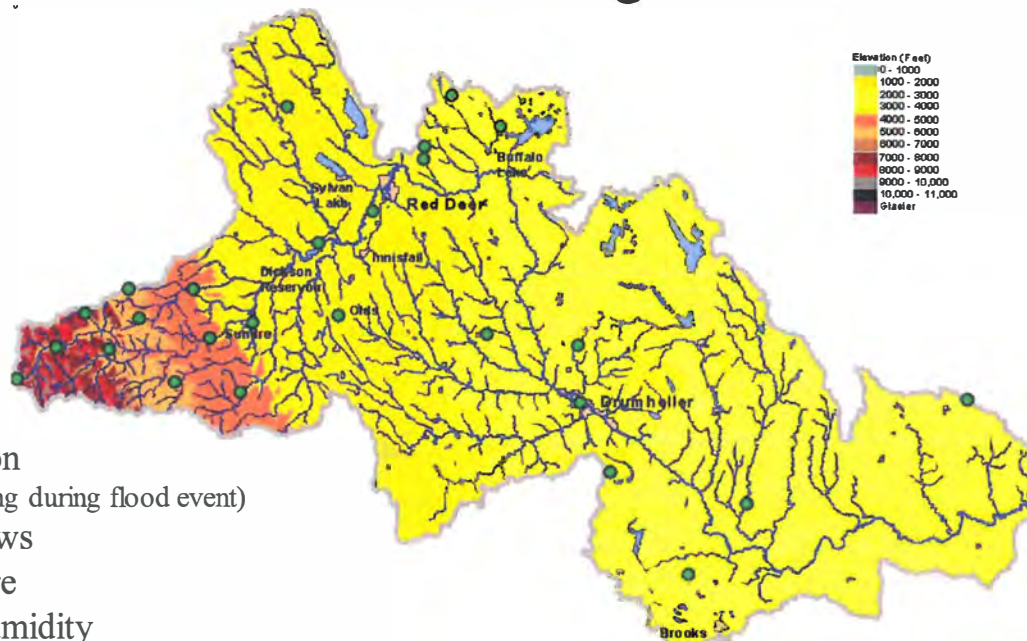
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# Pre-Flood Procedures

- River Forecast Center notification to Dickson Dam of possible precipitation event – 2 to 5 days notice.
- River Forecasting continuously refining models and forecasts and predicted peak inflow.
- Operators make preliminary calculations based on various inflow scenarios.
- Depending on forecast amounts, time of year, and current reservoir elevation, operators may choose to drawdown reservoir to create additional storage. (Limited to bank-full levels downstream - will NOT create an artificial or premature flood)
- Preliminary communications from RFC and Dickson Dam to downstream stakeholders.
- Operators double check all operating and backup equipment.

## 26 Real-time Meteorological Stations



- Precipitation  
(hourly tracking during flood event)
- Snow Pillows
- Temperature
- Relative humidity
- Wind speed

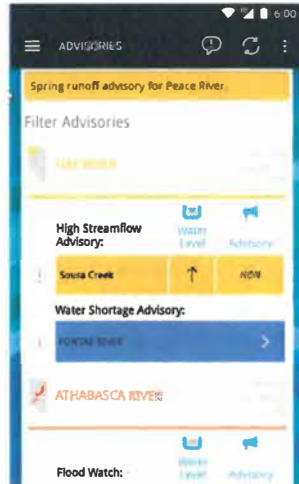
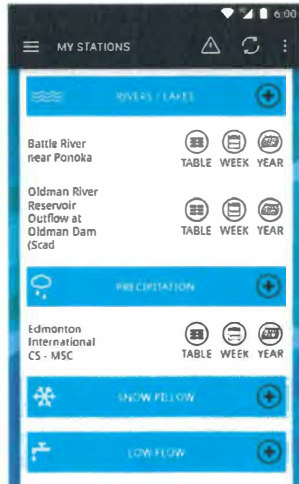
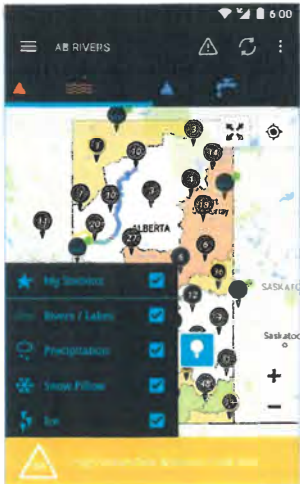
# 24 Real-time Hydrometric Stations



- River flows
- Lake/reservoir levels



## Alberta Rivers App



<https://rivers.alberta.ca>





# Flood Operations

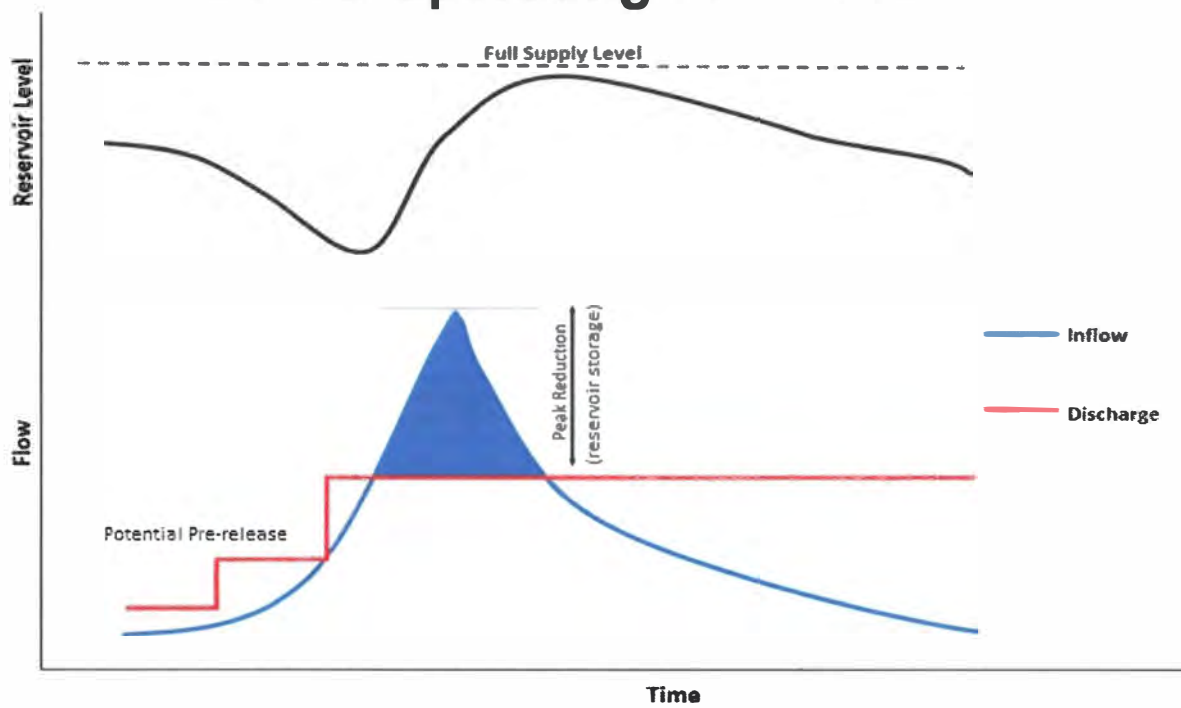
- **Philosophy**

- Maximize reservoir storage available for flood events, balancing water supply risk.
  - reservoir lower in May-June high risk months
  - potential ability to pre-release prior to a flood to create additional storage
- Ultimately protect safety of the dam to prevent failure
  - once the reservoir is full, inflows must equal outflows

- **Ability to attenuate a flood is dependant on numerous factors:**

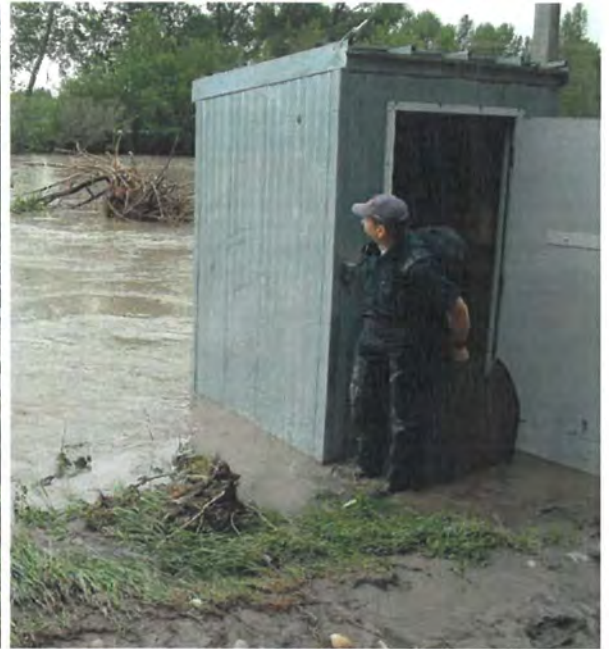
- available reservoir storage (potentially affected by preceding event)
- forecast
  - lead time
  - confidence in forecast
  - long-term forecast (risk of second storm)
- size and location of event
- ability to pre-release from the reservoir
- basin conditions (wet vs dry)
- temperature (snow vs rain)

## Flood Operating Procedures





# River Gauging Challenges



# River Gauging Challenges





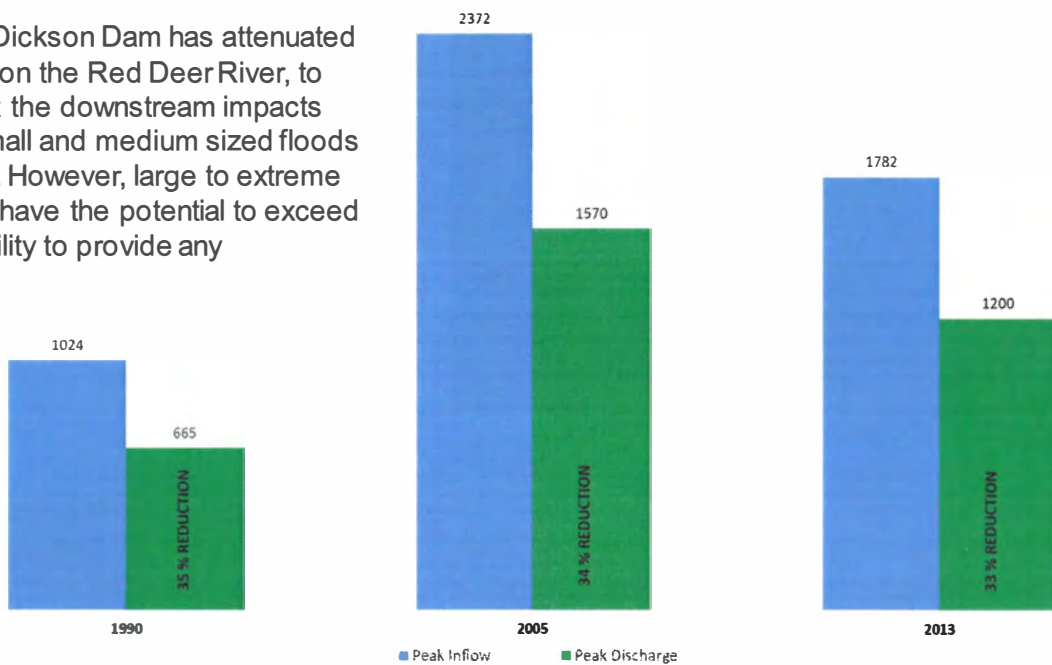
# River Gauging Challenges

## Red Deer River Below Burnt Timber Creek Gauge



## Flood Reduction

- Historically, Dickson Dam has attenuated flood events on the Red Deer River, to the point that the downstream impacts related to small and medium sized floods are reduced. However, large to extreme flood events have the potential to exceed the dams ability to provide any attenuation.



## 2005 Flood

- **Largest flood on record in basin**
- **2372 m<sup>3</sup>/s inflows** into Gleniffer Reservoir
- **1570 m<sup>3</sup>/s outflows** from Dickson Dam

## 2013 Flood

- **Third largest flood on record in basin**
- **1782 m<sup>3</sup>/s inflows** into Gleniffer Reservoir
- **1200 m<sup>3</sup>/s outflows** from Dickson Dam

- Additional contributions from downstream tributaries are unregulated and pose a considerable variable (Medicine River, Little Red Deer River, etc).
- Operators had only a few days lead time of an approaching storm at the headwaters of the Red Deer River.
- Given the lead time and available reservoir storage, operators were able to reduce peak flows by approximately 33% in 2005 and 2013 from what communities downstream would have received had Dickson Dam not been in place.
  - **Water would have overtopped the existing dikes throughout the Drumheller valley and would have resulted in worse damages.**
- Ongoing communication and coordination efforts between operators at Dickson Dam and emergency municipal operations within the community.
- **Every flood event is different and highly variable depending on various conditions.**



**Dickson Dam  
Service Spillway Aerial View**

**Dickson Dam Service Spillway  
Chute & Stilling Basin**





## Service Spillway Chute



## Dickson Dam Service Spillway Stilling Basin





# Drumheller Dykes



## Summary of Dickson Dam Benefits to Drumheller

- **Supplemental water supply during the winter months**
  - 16 m<sup>3</sup>/s minimum outflows provide assured year-round water supply, generates hydropower, and improves water quality downstream.
- **Decreased potential and severity of ice jamming during spring runoff**
  - Gleniffer Reservoir holds back prairie snow-melt in early spring (March-April).
- **Ability to provide some flood attenuation**
  - Varies each year based on a number of variable conditions.
  - Historically Dickson Dam has been able to effectively reduce the impacts of small and medium sized flood events.
  - In 2005 and 2013, attenuated flows from Dickson Dam were such that the Drumheller Dykes were not overtopped.





# QUESTIONS?

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**TOWN OF DRUMHELLER**  
**Tourism Corridor Property Standards**  
**Bylaw Number 04.19**

Being a Bylaw of the Town of Drumheller in the Province of Alberta for the purposes of establishing property standards along Drumheller's Tourism Corridor.

WHEREAS the Town of Drumheller is considered to be a major tourist destination and as Council values the designation of the Town as a tourist destination and as Council recognizes that in order to maintain the designation of tourist destination a higher standard of property maintenance is required along the tourism corridors to make them attractive to citizens and visitors.

WHEREAS the *Municipal Government Act*, being Chapter M-26 or the revised Statutes of Alberta and amendments thereto, provide that the Council of a municipality may pass bylaws for municipal purposes respecting nuisances, including unsightly property for industrial, commercial and residential within the Tourism Corridor.

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting businesses, business activities and Persons engaged in business;

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

WHEREAS the *Traffic Safety Act* authorizes a municipality to pass bylaws with respect to Highways under its direction including the maintenance of boulevards;

WHEREAS the *Safety Codes Act* authorizes a municipality to pass bylaws respecting the minimum maintenance standards for buildings; and unsightly or derelict buildings;

AND WHEREAS property standards are intended to be reviewed regularly and amended as Council deems appropriate;

NOW THEREFORE the Council of the Town of Drumheller, in the Province of Alberta, duly assembled, enact the following:

**PART 1 – INTERPRETATION**

- 1.1 This Bylaw shall be cited as the "Tourism Corridor Bylaw".
- 1.2 This Bylaw applies to all Premises within the corporate boundaries of the Town of Drumheller that are situated along the Tourism Corridor as identified in Schedule A - Priority Area #1 and Priority Area #2. Unless otherwise stated, all natural areas within the Priority Area #2 are to remain as is with Premises adhering to the requirements of the Community Standards Bylaw 06.19.

- 1.3 Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 1.4 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.
- 1.5 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and in force.
- 1.6 Nothing in this Bylaw relieves a Person from complying with any provisions of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, Order or license.
- 1.7 All of the schedules attached to this Bylaw form a part of this bylaw.
- 1.8 If there is a conflict between a provision in this Bylaw and a provision of any other Municipal Bylaw, the provision that establishes the highest standard shall apply for those Premises within the Tourism Corridor.

## **PART 2 – DEFINITIONS**

“Appeal” means the appeal of;

- (i) An Order issued pursuant to the Tourism Corridor Bylaw;
- (ii) An Order issued pursuant to Section 545 of the *Municipal Government Act* regarding contraventions of other bylaws or enactments that the Town is authorized to enforce; or
- (ii) An Order issued pursuant to Section 546 of the *Municipal Government Act*;

“Appeal Board” shall mean the Community Standards Appeal Board as established by the Community Standards Appeal Bylaw.

“Boulevard” means that part of a Highway that is not a roadway.

“Business” as stated in the *Municipal Government Act* Section 1(a.1) means a commercial, merchandising or industrial activity or undertaking; a profession, trade occupation, calling or employment; or an activity providing goods or services.

“Bylaw Violation Tag” means a ticket or summons issued for an allegation of a Bylaw infraction and is issued by a Peace Officer and only enforceable in the Town.

“Chief Administrative Officer” shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the Person appointed as Acting Chief Administrative Officer; or designate.

“Council” means the Municipal Council of the Town of Drumheller.

“Court” shall mean any Provincial Court of Alberta.

“Highway” as stated in the Traffic Safety Act, R.S.A. 2000, c T-6 means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for passage or parking of vehicles and includes:

- (i) a sidewalk, including a boulevard adjacent to the sidewalk;
- (ii) if a ditch lies adjacent to an 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,

but does not include a place declared by regulation not to be a highway.

“Landscaping Standards” as set out in the Town of Drumheller’s Landscaping Policy.

“Land Use Bylaw” means the Town of Drumheller Land Use bylaw and any amendment to the Land Use Bylaw.

“Lane” shall mean an alley intended primarily for access to the rear of Premises located adjacent to the alley;

“Notice” shall mean a notice issued pursuant to this bylaw to remedy a condition that is not in compliance with any provision of this bylaw.

“Nuisance” for this bylaw includes any use of or activity upon any Premises which is offensive to any Person or has or may have a detrimental impact upon any Person or other Premises in the neighborhood.

“Occupier” is a person in possession or control of the Premises.

“Order” means a written order identifying a contravention of this Bylaw and stipulating the actions that the Owner or Occupier shall take to remedy the contravention;

“Owner” of the Premises is a Person who is registered under the *Land Titles Act* as the Owner of the Premises;

“Peace Officer” shall mean a Community Peace Officer, Bylaw Enforcement Officer, Police of Jurisdiction or other Person appointed by the Town and who is authorized to enforce Bylaws of the Town of Drumheller.

“Person” shall mean an individual person, corporation, association, partnership or other recognized legal entity.



“Premises” shall mean any land situated in whole or in part within the Town including the external surface of all buildings and land immediately adjacent to any building or buildings and including any land or buildings owned or leased by the Town.

“Property” shall have the same meaning as Premises.

“*Provincial Offences Procedure Act*” means the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time.

“Tourism Corridor” as identified on the attached Schedule A with Priority 1 and Priority 2 areas located within the Town of Drumheller corporate limits, as the context requires.

“Town” means the Town of Drumheller, a municipal corporation and, where the context so requires, the area included within the boundaries of the said Municipal Corporation.

“Violation Ticket” means an offence notice issued by means of a Violation Ticket as described in Part 2 of the *Provincial Offences Procedure Act*.

### **PART 3 – CARE OF PREMISES**

#### **UNSIGHTLY PREMISES / ACCUMULATION OF BUILDING MATERIAL / DERELICT EQUIPMENT**

3.01 Interpretation for the purpose of this section:

- (a) “Unightly Premises” means in respect of a building, includes a building whose exterior shows signs of significant physical deterioration, and in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep.
- (b) “Building Material” means all construction and demolition material including the packaging material accumulated on Premises arising from the construction, alteration, repair or demolition of any structure and includes, but is not limited to, earth, vegetation or rock displaced during such construction, alteration, repair or demolition;
- (c) “Derelict Equipment” means equipment or machinery, which has been rendered inoperative by reason of its disassembly, damage, age or mechanical condition, and includes, but is not limited to, any household appliance stored outside of a residence or other structure.

3.02 The Owner or Occupier of the Premises, including any parking area, shall not cause, allow or permit their Premises to become or to continue to be an Unightly Premises or become detrimental to the surrounding area. Unightly Premises will be given a Remedy Order with a compliance date within a two (2) week period.

- 3.03 The Owner or Occupier of the Premises shall remove any Building Material not being used for business operations from the Premises including but not limited to concrete blocks, wood, metal, and Derelict Equipment.
- 3.04 The Owner or Occupier of the Premises must keep the Premises, including that portion of the Lane and street adjacent to the Premises, free from the accumulation of Building Material to the point where an unsightly condition develops.
- 3.05 The provisions of this Bylaw shall not be interpreted to prevent bona fide and permitted commercial, industrial, agricultural, construction, demolition, renovation, landscaping, clean-up, storage or other related activities from being carried out on, or in relation to the Premises, provided all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightliness of the Premises.

## **WASTE COLLECTION**

- 3.06 Interpretation for the purpose of this section:
- (a) "Waste" as stated in the Environmental Protection and Enhancement Act, R.S.A. 2000, Chapter E-12 means any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to, rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or a part of an animal carcass, or the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of an any other thing that is designated as waste in the regulations.
  - (b) "Waste Collection Cart" means a cart that is supplied by the Town designed to receive Waste then rolled to a collection point and emptied by an automated collection truck.
  - (c) "Waste Container" means a commercial bin provided by the Occupier specifically marketed to store Waste and excludes containers that are meant for other purposes:
  - (d) "Screened" means a fence, wall, berm, hedge or other barrier providing visual and / or acoustic separation of sites.
- 3.07 No Owner or Occupier of the Premises shall allow residential Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Collection Cart. The Owner or Occupier of the Premises shall remove the Waste Collection Cart from the collection point by the end of the collection day, or sooner if possible.
- 3.08 No Owner or Occupier of the Premises shall allow commercial Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Container. No Owner or Occupier is permitted to overfill the Waste Receptacle beyond its normal, lid closed capacity. All Waste Containers must be Screened



## GRASS, TREES AND WEEDS

### 3.09 Interpretation for the purpose of this section:

(a) "Weeds" means plants designated as noxious and nuisance weeds as defined in the *Weed Control Act*, RSA 2000 cW-5 and Alberta Regulation 171/2001, as amended or replaced from time to time.

(b) "Yard Waste" shall mean 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.

3.10 For Priority Area #1, between Victoria Day to Labour Day each year, the Owner or Occupier of the Premises shall mow the grass and weeds and maintain at a height not exceeding 15 centimeters.

3.11 The Owner or Occupier of the Premises shall remove all dead branches and trees, shrub, and other types of vegetation that has any rot or deterioration. Within seven (7) days of receiving a Remedy Order, trees, branches, shrubs and all vegetation showing signs of rot or deterioration shall be removed.

3.12 The Owner or Occupier of the Premises shall remove all Yard Waste on the Premises and on any boulevard which abuts or adjoins the property, including up to the center of lanes or alleys at the rear or side of the property prior to Victoria Day.

3.13 Planting of all Boulevard trees shall be carried out by the Town or its agents. An Owner may plant a Boulevard tree but only with written permission of the Town. The selection of Boulevard tree types shall be at the discretion of the Town.

3.14 All trees on Town Premises are the property of the Town and the maintenance of such trees is the responsibility of the Town. No Person shall destroy or damage any trees, shrubs, plants, flowers or damage the lawn on any boulevard, public park or public garden in the Town. No Person other than a duly authorized employee or agent of the Town shall prune, repair, clip or perform any other work on any boulevard tree. The Owner or Occupier of the Premises adjacent to the boulevard tree, may, at the sole discretion of the Town, be authorized to perform work on the Boulevard tree to the satisfaction of the Town.

3.15 The Town of Drumheller has established landscaping standards to be adhered to by residential, commercial and industrial developers. Landscaped areas must comply with the requirements of the Town's Landscaping Policy. If the Owner has not complied with the condition as outlined in the Notice of Decision following the construction of a new residential, commercial and industrial building, the Town will undertake the work and all costs associated with the landscaping requirements will be applied against the taxes.

## REPAIR AND MAINTENANCE OF BUILDINGS AND FENCES

### 3.16 Interpretation for the purpose of this Section:

- (a) "Good Repair" means a condition where a fence or building does not exhibit:
  - (i) significant damage,
  - (ii) peeling surfaces,
  - (iii) broken, missing, or fallen parts,
  - (iv) rot or other significant deterioration,
  - (v) openings which are not secured or
  - (vi) other visual evidence of a lack of general maintenance.
- (b) "Building" means any structure used or intended for supporting or sheltering any use or occupation;
- (c) "Screened" means a fence, wall, berm, hedge or other barrier providing visual and / or acoustic separation of sites.

### 3.17 By May 1<sup>st</sup> annually, every Owner or Occupier of the Premises shall ensure the following are maintained in Good Repair and shall obtain the required permits under the Land Use Bylaw for its repair:

- (i) Fences;
- (ii) Building - Exterior walls and their components including doors and windows.

### 3.18 If a Building has any door or window opening in disrepair the Owner or Occupier shall repair the damage within seven (7) days to the satisfaction of the Development Officer.

### 3.19 No Owner or Occupier shall use plywood to board up windows and doors for more than a seven (7) day period.

### 3.20 Where any building is unoccupied, the Owner shall ensure that appropriate window displays are visible including but not limited to art work, posters, or other displays that meets the satisfaction of the Town from Victoria Day to Labour Day annually.

### 3.21 Fences on construction sites shall be Screened so that the site is not readily visible to the public. Screens shall be aesthetically pleasing and may not contain advertising except to identify the Premises being constructed.

## GRAFFITI ABATEMENT

### 3.22 For the purposes of this Section, "Graffiti" means words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to a surface without permission of the owner and in public view.



- 3.23 For Priority Areas #1 and #2, every Owner or Occupier of the Premises shall, within two (2) business days of being notified by a Peace Officer, ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view.

## **SIGNAGE**

- 3.24 For Priority Areas #1 and #2, installation of any sign must be in compliance with the intent of the Town of Drumheller Land Use Bylaw and every Person shall apply for and obtain a development permit.
- (i) Every Person shall apply for and obtain a building permit before constructing, repairing, erecting, allowing, installing, placing, moving, rebuilding, reconstructing or altering a sign;
  - (ii) A permit is not required for changing or repairing the lettering of a sign or the internal equipment of the sign.
- 3.25 Placement of standardized business signs on Town roads will be allowed conditional upon;
- (i) the sign be a standardized sign as approved by Alberta Transportation;
  - (ii) the applicant provides the standardized sign at their expense and commit to ongoing sign maintenance/replacement to the satisfaction of Town of Drumheller. The applicant is responsible to install or remove sign if required.
  - (iii) A maximum of two sign (one from each direction of travel).
- 3.26 If a business has ceased operations the sign must be removed within a two (2) week period following the date of closure or the Town will have the sign removed and the costs incurred for the removal of the sign will be the responsibility of the Owner.
- 3.27 If a business does not install a sign in accordance with the Land Use Bylaw, the Owner, once notified by the Town, will have two (2) weeks to be in compliance with any approved plans, drawings, and specifications.
- 3.28 The Owner shall maintain or ensure that the sign is maintained in a proper state of repair and if not, the Owner will have a period of two (2) weeks in which to comply with a Remedial Order.

## **LITTERING**

- 3.29 The Owner or Occupier of a business which offers for sale food, refreshments or tobacco products shall ensure that the Premises, including the building, land and all adjoining public property is kept free of discarded cartons, containers, papers or other garbage originating from the business by collecting and disposing of garbage found in that area each day that the business is open for business.

- 3.30 No Owner or Occupier of a Premises shall sweep or place dirt or litter on the road or on the sidewalk.

## **PART 4 – POWERS OF PEACE OFFICERS**

### **INSPECTIONS**

- 4.01 A Peace Officer and Chief Administrative Officer are hereby authorized in accordance with Section 542 of the *Municipal Government Act* to enter any Premises after giving reasonable notice to the Owner or Occupier of the Premises to be inspected; and to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw upon having reasonable and probable grounds.
- 4.02 If a Peace Officer considers any Premises to be in contravention of any section of this Bylaw, the Peace Officer may issue a verbal or written Order to the Owner or Occupier to remedy any condition(s) of the subject Premises that have been found to be in contravention of this Bylaw.
- 4.03 If a Person
- (a) Refuses to allow or interferes with the entry, inspection, enforcement or action referred to in Sections 4.01 or 4.02, or
  - (b) Refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in Sections 4.01 or 4.02, the municipality may apply to the Court of Queen's Bench for an Order under Section 543(2) of the *Municipal Government Act*.

### **ISSUANCE OF BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET**

- 4.04 A Peace Officer is authorized to issue a Bylaw Violation Tag to any Person that the Peace Officer believes on reasonable and probable grounds has contravened any provision of this Bylaw.
- a) Notwithstanding any other provision of this Bylaw a Peace Officer is authorized to immediately issue a Province of Alberta Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
  - b) A Bylaw Violation Tag may be issued to a Person Personally, or by mailing a copy to the Person at his or her last known address.
  - c) Nothing in this Bylaw shall prevent a Peace Officer from issuing a Bylaw Violation Tag or Provincial Violation Ticket for the mandatory court appearance of any Person who contravenes any provision of this Bylaw.
  - d) If the penalty specified on the Bylaw Violation Tag served to a Person is not paid within a prescribed time period, then a Peace Officer is authorized to issue a Provincial Violation Ticket pursuant to the *Provincial Offences Procedures Act*.

## ORDERS BY PEACE OFFICER

- 4.05 Where Premises are found to be in violation of any provisions of this Bylaw, the Peace Office may in accordance with Section 545 of the *Municipal Government Act* issue a written Order to the Owner or Occupier of the Premises to remedy the condition on the Premises which violates this Bylaw.
- 4.06 An Order written pursuant to Section 4.05 may:
- (a) Direct a Person to stop doing something, or to change the way in which the Person is doing it;
  - (b) Direct a Person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a building that has been erected or placed in contravention of a bylaw, and if necessary, to prevent a reoccurrence of the contravention;
  - (c) State a time within which the Person must comply with the directions;
  - (d) State that if the Person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the Person.
- 4.07 Without limiting the powers under Section 4.05 and 4.06, an Order written pursuant to Section 4.05 may:
- (a) Require the owner of a Building in disrepair to eliminate the danger to the public safety in the matter specified, or remove and demolish the Building and level the site;
  - (b) Require the Owner of the Premises that contains the excavation or hole to eliminate the danger to public safety in the manner specified, or fill in the excavation or hole and level the site;
  - (c) Require the Owner of Premises that is in an unsightly condition improve the appearance of the Premises in the manner specified, or if the Premises is a Building, remove or demolish the Building and level the site.

## SERVICE OF AN ORDER

- 4.08 Service of an Order upon an Owner shall be sufficient if it is:
- (i) Personally served upon the Owner or Occupier;
  - (ii) Only served by mail if the Premises is not occupied by the Owner;
  - (a) Left with a competent Person residing with said Owner or Occupier; or
  - (b) Posted to the door of the Premises or in any other conspicuous place on the Premises.
- 4.09 Such Order shall be deemed to have been received:
- (a) seven (7) days from the date of mailing; or
  - (b) on the day it is left with a competent Person residing with an Owner or Occupier or posted on the Premises.
- 4.10 Each Order shall:
- (a) Describe the Premises by its municipal address and legal description;



- (b) Identify the date that it is issued;
- (c) State how the Premises contravenes the provisions of this By-law;
- (d) Give reasonable particulars of the extent of the clean-up, removal, clearing or other actions required to be made;
- (e) State the time within which the clean-up, removal, clearing or other actions are to be done;
- (f) State that if the required actions are not done within the time specified, the Town may:
  - (i) Carry out the actions required and charge the cost thereof against the Owner or Occupier; or
  - (ii) Cause a Violation Ticket to be served upon the Owner or Occupier pursuant to Part 2 of the *Provincial Offences Procedure Act*;

#### **FAILURE TO COMPLY WITH AN ORDER**

- 4.11 When an Owner or Occupier fails to remedy a contravention of this Bylaw within the time allowed in an Order issued under Section 4.09 of this Bylaw, the Town may exercise its powers under s 546.1, 549 or 550 of the Municipal Government Act in its discretion, including but not limited to entering upon the Premises to perform or complete the work necessary to remedy the violation of this Bylaw. The costs incurred by the Town to remedy the violation, as well as any applicable fines under this Bylaw, will be billed to the Person registered under the *Land Titles Act* and will be amounts owing to the Town. If the costs are not paid in the time specified by the Town, the costs may be charged against the property as a special assessment to be recovered in the same manner as other taxes and in accordance with Section 553, 553.1 or 553.2 of the MGA.
- 4.12 Every Person who fails to comply with a written Order issued pursuant to this section within the time set out in the written Order commits an offence.
- 4.13 An Owner or Occupier served with an Order may comply with the Order by entering into a written agreement with the Town, for the Town to carry out the actions required by the Order.
- 4.14 The Chief Administrative Officer may take whatever actions or measures necessary to eliminate any danger to public or deal with unsightly conditions of the Premises in accordance to powers and authority provided to a municipality through the *Municipal Government Act* Section 550. Pursuant to the Section 551 of the *Municipal Government Act*, in an emergency the municipality may take whatever actions or measures are necessary to eliminate the emergency.

## REVIEW BY COUNCIL

- 4.15 A Person who receives a written Order to comply with section 545 of the *Municipal Government Act* may by written notice within fourteen (14) days after the date the Order is received, request Council to review the Order.
- 4.16 A Person who receives a written Order to comply with section 546 of the *Municipal Government Act* may by written notice within seven (7) days after the date the Order is received, request Council to review the Order.
- 4.17 After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.
- 4.18 If a Person considers himself aggrieved by a decision under 4.16, he may appeal the decision by originating notice to the Court of Queen's Bench:
- i) in the case of an Appeal of an Order under section 545 of the *Municipal Government Act*, within thirty (30) days after the date the decision under section 547 of the *Municipal Government Act* is served on the Person affected by the decision, and,
  - ii) in the case of an Appeal of an Order under section 546 of the *Municipal Government Act*, within fifteen (15) days after the date the decision under section 547 of the *Municipal Government Act* is served on the Person affected by the decision.
- 4.19 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

## GENERAL PENALTY PROVISION

- 4.20 Any Person who contravenes any provision of this Bylaw is guilty of a summary conviction offence punishable by a fine of not less than fifty dollars and not exceeding five thousand dollars or to imprisonment for a period not exceeding six (6) months or both. Mandatory minimum penalties for offences of this Bylaw are listed in Schedule 'B'.
- 4.21 Offences of a continuing nature shall be deemed to constitute a separate offence for each day or part of a day that the offence continues.
- 4.22 Any Person who is found in contravention of the same section of this Bylaw on more than one occasion will be liable to an increased penalty for that contravention if the Section violated in Schedule 'B' stipulates increased fines for second and third offences.

**APPEALS UNDER THE WEED CONTROL ACT**

**4.23 Community Standards Appeal Board:**

- (a) Shall constitute the independent committee contemplated by Section 19 of the *Weed Control Act* to hear appeals of orders or notices relating to this Section and the *Weed Control Act*.
- (b) Any appeal filed pursuant to the *Weed Control Act* or this Section shall be heard by the Community Standards Appeal Board within five (5) days of the receipt of the notice of appeal by the Chief Administrative Officer.
- (c) A notice of appeal respecting this Section must be delivered personally or sent by certified or registered mail to the Chief Administrative Officer within ten (10) days of the issuance of the Order or Notice.
- (d) Pursuant to the *Weed Control Act* and the Regulation, any notice of appeal filed with respect to a notice under this Section or the *Weed Control Act* shall be accompanied by a deposit in the amount of \$500.00, which shall be refunded if the applicant's appeal is successful.

**PART 5 - COMMENCEMENTS**

This bylaw shall take effect on the date of the 3rd and final reading

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

The Bylaw shall come into force and effect upon final passing.

**Read** a first time this day 19<sup>th</sup> of February, 2019

**Read** a second time this 18<sup>th</sup> day of March, 2019 as amended.

**Read** a third time this 18<sup>th</sup> day of March, 2019 as amended.




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Mayor




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Chief Administrative Officer



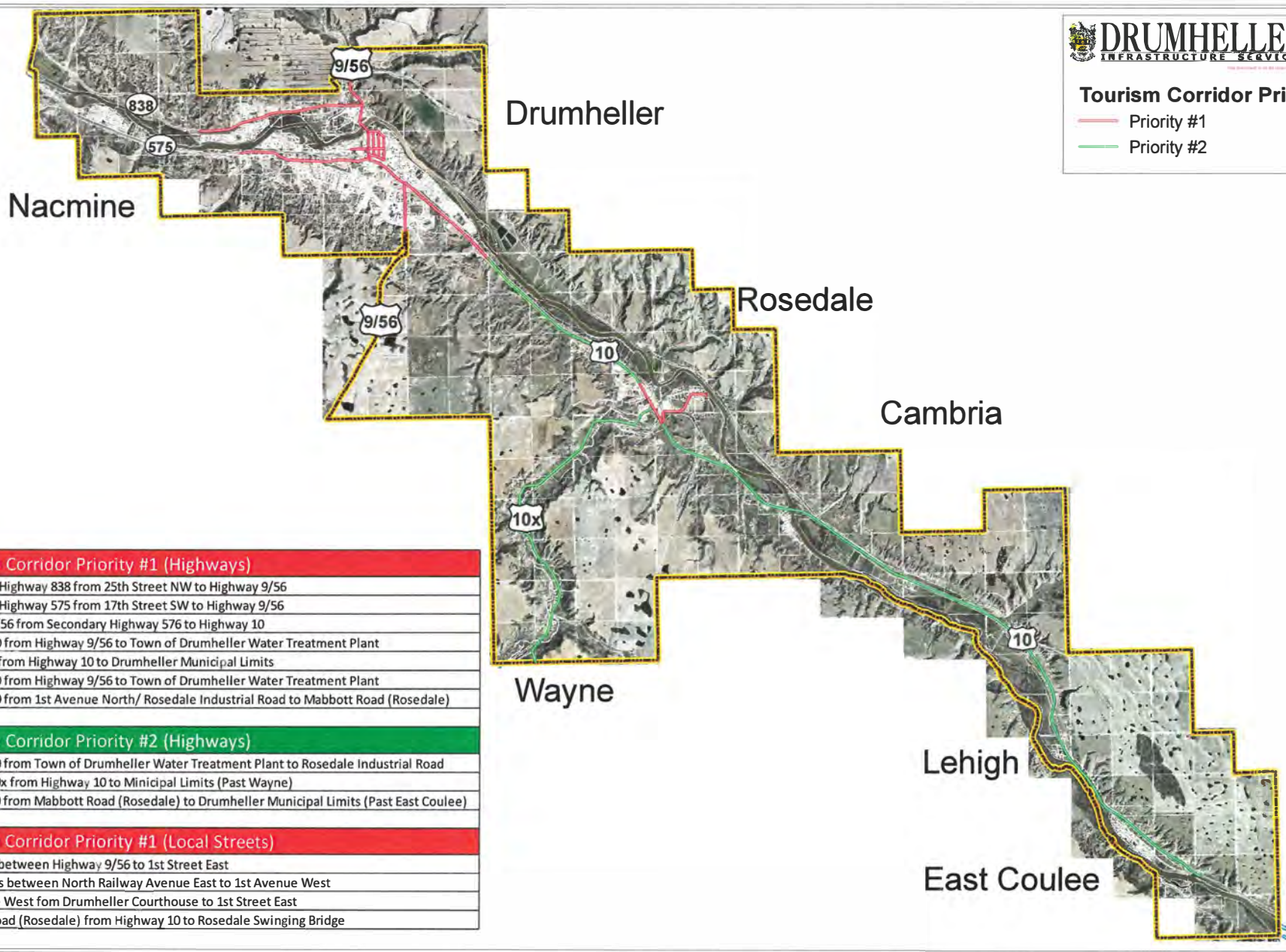
**Schedule A**  
**Tourism Corridor Priority Area 1 and Priority Area 2**

## Schedule B

### TOURISM CORRIDOR BYLAW FINES

<b>Unsightly Premises / Accumulation of Building Material</b>	
<b>Derelict Equipment Infractions</b>	\$250.00
a) second offence	\$500.00
b) third and subsequent offences	\$750.00
<b>Waste Collection Infraction</b>	\$250.00
a) second offence	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
<b>Failure to Maintain Grass, Trees and Weeds</b>	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
<b>Failure to Maintain Buildings and Fences</b>	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
<b>Failure to Remove Graffiti</b>	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
<b>Signage Infractions</b>	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
<b>Littering Infractions</b>	\$250.00
c) second offence within same calendar year	\$500.00
d) third and subsequent offences within same calendar year	\$750.00

**Tourism Corridor Priority**  
 Priority #1  
 Priority #2



**Tourism Corridor Priority #1 (Highways)**

- Secondary Highway 838 from 25th Street NW to Highway 9/56
- Secondary Highway 575 from 17th Street SW to Highway 9/56
- Highway 9/56 from Secondary Highway 576 to Highway 10
- Highway 10 from Highway 9/56 to Town of Drumheller Water Treatment Plant
- Highway 9 from Highway 10 to Drumheller Municipal Limits
- Highway 10 from Highway 9/56 to Town of Drumheller Water Treatment Plant
- Highway 10 from 1st Avenue North/ Rosedale Industrial Road to Mabbott Road (Rosedale)

**Tourism Corridor Priority #2 (Highways)**

- Highway 10 from Town of Drumheller Water Treatment Plant to Rosedale Industrial Road
- Highway 10x from Highway 10 to Municipal Limits (Past Wayne)
- Highway 10 from Mabbott Road (Rosedale) to Drumheller Municipal Limits (Past East Coulee)

**Tourism Corridor Priority #1 (Local Streets)**

- All Streets between Highway 9/56 to 1st Street East
- All Avenues between North Railway Avenue East to 1st Avenue West
- 3rd Avenue West from Drumheller Courthouse to 1st Street East
- Mabbott Road (Rosedale) from Highway 10 to Rosedale Swinging Bridge



**TOWN OF DRUMHELLER**  
**Community Standards**  
**Bylaw Number 06.19**

Being a Bylaw of the Town of Drumheller in the Province of Alberta for the purposes of prohibiting certain activities in order to prevent and compel abatement of noise, nuisances, unsightly premises, control weeds and public disturbances.

WHEREAS the *Municipal Government Act*, being Chapter M-26 or the revised Statutes of Alberta and amendments thereto, provide that the Council of a municipality may pass bylaws for municipal purposes respecting nuisances, including unsightly property.

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting safety, health and welfare of people and protection of people and property;

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

WHEREAS the *Traffic Safety Act* authorizes a municipality to pass bylaws with respect to Highways under its direction, control and management and the parking of vehicles on public and private property;

WHEREAS the *Safety Codes Act* authorizes a municipality to pass bylaws respecting the minimum maintenance standards for buildings and structures; and unsightly or derelict buildings or structures;

AND WHEREAS community standards are intended to be reviewed regularly and amended as Council deems appropriate. Council's desire is to influence respect for each other as neighbors and balance enforcement with the livability of neighbors and neighborhoods.

NOW THEREFORE the Council of the Town of Drumheller, in the Province of Alberta, duly assembled, enacts the following:

**PART 1 – INTERPRETATION**

- 1.1 This Bylaw shall be cited as the "Community Standards Bylaw".
- 1.2 This Bylaw applies to all Premises within the corporate boundaries of the Town of Drumheller.
- 1.3 Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 1.4 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.

- 1.5 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and in force.
- 1.6 Nothing in this Bylaw relieves a Person from complying with any provisions of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 1.7 All of the schedules attached to this Bylaw form a part of this bylaw.

## **PART 2 – DEFINITIONS**

“Appeal” means the appeal of;

- (i) An Order issued pursuant to the Community Standards Bylaw;
- (ii) An Order issued pursuant to Section 545 of the *Municipal Government Act* regarding contraventions of other bylaws or enactments that the Town is authorized to enforce; or
- (iii) An Order issued pursuant to Section 546 of the *Municipal Government Act*

“Appeal Board” shall mean the Community Standards Appeal Board as established by the Community Standards Appeal Bylaw

“Boulevard” means that part of a Highway that is not a roadway.

“Building” means any structure used or intended for supporting or sheltering any use or occupation.

“Building Material” means all construction and demolition material including the packaging material accumulated on Premises arising from the construction, alteration, repair or demolition of any structure and includes, but is not limited to, earth, vegetation or rock displaced during such construction, alteration, repair or demolition;

“Bylaw Violation Tag” is a ticket or summons issued for an allegation of a Bylaw infraction and is issued by a Peace Officer and only enforceable in the Town.

“Chief Administrative Officer” shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the person appointed as Acting Chief Administrative Officer; or designate.

“Council” means the Municipal Council of the Town of Drumheller.

“Court” shall mean any Provincial Court of Alberta.

“Day Time” means the period beginning at 7:00 am and ending at 10:00 pm of the same day, on weekdays; or beginning at 9:00 am and ending at 10:00 pm of the same day, on the weekend.

“Derelict Equipment” means equipment or machinery, which has been rendered inoperative by reason of its disassembly, damage, age or mechanical condition, and includes, but is not limited to, any household appliance stored outside of a residence or other structure.

“Derelict Vehicle” means a vehicle, whether or not in operating condition; or has all or part of its structures removed or dismantled, or is in a dilapidated or unsightly condition.

“Fire Receptacle” includes a permanently affixed outdoor fire place or a portable fire pit where fuel source may be wood, gas or any other combustible substance.

“Good Repair” means a condition where the structure does not exhibit: significant damage, peeling surfaces, broken, missing, or fallen parts, rot or other significant deterioration, openings which are not secured, or other visual evidence of lack of general maintenance.

“Graffiti” means words, figures, letters, drawings, symbols, or stickers applied, scribbled, scratched, etched, sprayed or attached on or to a surface of the premises without permission of the owner and in public view.

“Highway” as stated in the Traffic Safety Act, R.S.A. 2000, c T-6 means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any 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 the 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, but does not include a place declared by regulation not to be a highway.

“Landscaping Standards” as set out in the Town of Drumheller’s Landscaping Policy.

“Land Use Bylaw” means the Town of Drumheller Land Use Bylaw and any amendment to the Land Use Bylaw.

“Lane” shall mean an alley intended primarily for access to the rear of Premises located adjacent to the alley.

“Night Time” means a period beginning at 10:00 pm and ending on the following day at 7:00 am, if the following day is a Week Day or 9:00 am if the following day is a Weekend.

“Noise” means any sound that is reasonably likely to disturb the peace of others.



“Notice” shall mean a notice issued pursuant to this bylaw to remedy a condition that is not in compliance with any provision of this bylaw.

“Nuisance” for the purpose of this bylaw includes any use of or activity upon any premises which is offensive to any person, or has or may have a detrimental impact upon any person or other premises in the neighborhood.

“Occupier” means residing on or to be in possession or control of the Premises.

“Order” means a written order identifying a contravention of this Bylaw and stipulating the actions that the Owner or Occupier shall take to remedy the contravention.

“Owner” of Premises is a Person who is registered under the Land Titles Act as the Owner of the Premises.

“Peace Officer” shall mean a Community Peace Officer, Bylaw Enforcement Officer, Police of Jurisdiction or other person appointed by the Town and who is authorized to enforce Bylaws of the Town of Drumheller.

“Person” shall mean an individual person, a corporation, association, partnership or other recognized legal entity.

“Premises” shall mean any land situated in whole or in part within the Town including the external surface of all buildings and land immediately adjacent to any building or buildings and including any land or buildings owned or leased by the Town.

“Property” shall have the same meaning as Premises.

“*Provincial Offences Procedures Act*” means the Provincial Offences Procedures Act, R.S.A. 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time.

“Public Place” means any place within the Town to which the public may have either express or implied access including, but not limited to, areas such as streets, sidewalks, pathways, trails, and any fixture or sculpture located in such area.

“Screened” means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites.

“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.

“Town” means the Town of Drumheller, a municipal corporation and, where the context so requires, the area included within the boundaries of the said municipal corporation.

“Unsightly Premises” means in respect of a Building, includes a Building whose exterior shows signs of significant physical deterioration, and in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep.

“Vehicle” means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.

“Violation Ticket” means an offence notice issued by means of a Violation Ticket as described in Part 2 of the *Provincial Offences Procedures Act*.

“Waste” as stated in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, Chapter E-12 means any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to, rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or a part of an animal carcass, or the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of and any other thing that is designated as waste in the regulations.

“Waste Collection Cart” means a cart that is supplied by the Town designed to receive Waste then rolled to a collection point and emptied by an automated collection truck.

“Waste Container” means a commercial bin provided by the Occupier specifically marketed to store Waste and excludes containers that are meant for other purposes.

“Weeds” means plants designated as noxious and nuisance weeds as defined in the *Weed Control Act*, RSA 2000 cW-5 and Alberta Regulation 171/2001, as amended or replaced from time to time.

“Week Day” means Monday through Friday, inclusive, for the purpose of this Bylaw, unless it fall on a Holiday.

“Weekend” means Saturday, Sunday and any other Holiday.

“Yard Waste” shall mean 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.

### **PART 3 – CARE OF PREMISES**

#### **UNSIGHTLY PREMISES**

3.01 No Owner or Occupier of Premises shall allow their Premises to be in unsightly condition.

#### **ACCUMULATION OF MATERIALS**

3.02 No Owner or Occupier of Premises shall allow on the Premises, the accumulation of: any material that creates unpleasant odors; any material likely to attract pests; or animal remains, parts of animal remains, or animal feces.

3.03 No Owner or Occupier of Premises shall allow the open or exposed storage on the Premises of any quantities of industrial fluid, including engine oil, brake fluid or antifreeze.

3.04 No Owner or Occupier of Premises shall allow the following to accumulate on the Premises such that the accumulation is visible to a Person viewing from outside the Premises; loose garbage; bottles, cans, boxes or packaging materials; and household furniture or other household goods.

3.05 No Owner or Occupier of Premises shall allow the accumulation of automobile parts, abandoned vehicles, or Derelict Vehicles to remain or to be parked on Premises, unless it is suitably housed to the satisfaction of the Chief Administrative Officer.

3.06 No Owner or Occupier of Premises shall allow any Derelict Equipment to remain on the Premises without first ensuring that the hinges, latches, lids or doors of the unit have been removed and is not visible to a Person viewing from outside the Premises.

3.07 No Owner or Occupier of Premises shall allow the accumulation of Building Material, whether new or used, unless that owner or occupier can establish that a construction or renovation is being carried out on the Premises and the materials relate to the project taking place and are stacked or stored in a an orderly manner. Materials are to be properly Screened from viewing.

### WASTE COLLECTION

3.08 No Owner or Occupier of Premises shall allow commercial or residential Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Collection Carts. Do not overfill the container beyond its normal, lid closed capacity. Waste Collection Carts shall be returned to the Premises from the collection point by the end of collection day.

3.09 No Owner or Occupier of Premises shall allow commercial Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Containers. Do not overfill the container beyond its normal, lid closed capacity. All Waste Containers shall be Screened at the discretion of the Chief Administrative Officer.

3.10 No Owner of Occupier shall allow any renovation material to escape a rented industrial Waste Container while the container is on their Premises.

### GRASS, TREES & WEEDS



3.11 No Owner or Occupier of Premises shall allow grass or grasses on the Premises to exceed a height of 20 centimeters including any boulevard that lies directly between the boundary of parcel of land and an adjacent highway, road or alley.

This Section shall not apply to:

- (i) Golf courses; or
- (ii) Parks and natural area under the direction and control of Town of Drumheller; or
- (iii) Areas under the direction and control of Town of Drumheller Roads including boulevards adjacent to major roadways.

3.12 No Owner or Occupier of Premises shall allow tree branches, shrubs or other type of vegetation on the Premises to overhang onto neighboring Premises, obstruct the sidewalk, interfere with any public work or utility, and impair the visibility required for safe traffic flow at any intersection adjacent to the land. The Owner or Occupier of Premises shall remove all dead branches and trees from the Premises.

3.13 No Owner or Occupier of Premises shall permit any violation of *The Weed Control Act*, R.S.A. 2008, c W-5.1 on the Premises.

#### NUISANCES ESCAPING PREMISES

3.14 No Owner or Occupier of Premises shall allow a thing or activity to annoy or disturb a Person or otherwise constitute a Nuisance. A Nuisance is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw.

(a) In making a determination with respect to an offence under this Section a Court may take into consideration any or all of the following factors:

- (i) the frequency of the activity;
- (ii) the intensity and duration of the activity;
- (iii) the time of day or season;
- (iv) the nature of the surrounding area;
- (iv) the effect of the thing or activity on a complainant or complainants;
- and
- (v) the effect of the thing or activity on the surrounding area.

3.15 No Owner or Occupier of Premises shall allow a flow of water from a hose, eavestrough or downspout or similar device on the Premises to be directed towards an adjacent Premises if it is likely the water from the device will enter the adjacent Premises. The flow shall be directed onto the Owner of Occupier's Premises.

3.16 No Owner or Occupier of 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.

3.17 A person shall not engage in any activity that is likely to allow smoke, dust or other airborne matter that may disturb any other Person to escape the Premises without taking reasonable precautions to ensure that the smoke, dust or other airborne matter does not escape the Premises.

3.18 No Owner or Occupier of Premises shall allow an outdoor light to shine directly into adjacent Premises.

3.19 An Owner or Occupier of 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 neighboring Premises.

3.20 No Person shall place or permit to be placed, any snow, ice, dirt, leaves, debris or other material from their Premises onto a Highway, Town land or other private Property.

#### MAINTENANCE OF BUILDINGS AND FENCES

3.21 No Owner or Occupier of Premises shall allow a Building or fence to become a safety hazard.

3.22 Every Owner or Occupier of Premises shall ensure the following are maintained in Good Repair:

- (i) Fences and their structural members;
- (ii) Buildings and their structural members, including:
  1. Foundations and foundation walls;
  2. Exterior walls and their components;
  3. Roofs;
  4. Windows and their casings;
  5. Doors and their frames;
- (iii) Protective or decorative finishes of all exterior surfaces of a Building or fence; and
- (iv) Exterior stairs, landings, porches, balconies and decks.

3.23 If a Building has a broken window or door opening it shall be repaired within a reasonable time period as determined by the Chief Administrative Officer. The damaged area shall be covered with a solid piece of wood or other suitable material to prevent unauthorized access to the Building. The material shall be installed subject to the satisfaction of the Development Authority and shall be:

- (i) installed from the exterior and fitted within the frame of the opening in a watertight manner;
- (ii) of a thickness sufficient to prevent unauthorized entry into the Building;
- (iii) secured in a manner sufficient to prevent unauthorized entry into the Building; and

- (iv) complimentary to the exterior of the Building.

## SIGNAGE

3.24 Placement of standardized business signs on Town roads will be allowed conditional upon;

- (i) Sign to be a standardized sign as approved by Alberta Transportation and/or the Town.
- (ii) Applicant provides the standardized sign at their expense and commits to ongoing sign maintenance/replacement to the satisfaction of the Town. The applicant is responsible to install or remove sign if required.
- (iii) Installation of the sign will be in compliance with the intent of safety requirements per Land Use Bylaw regarding intersections.
- (iv) A maximum of two signs (one from each direction of travel).
- (v) Where a business has ceased operations, all signage shall be removed within four (4) weeks, failing which the Town will remove sign at the cost of the Owner or Occupier of the Premises in which the business previously operated.
- (vi) No posters shall be affixed to any municipal infrastructure for more than 24 hours without approval by the Town.

## FIRE ON PREMISES

3.25 Except for a fire which is in compliance with the Fire Department Bylaw, no Person shall ignite or allow to be ignited a fire in a Fire Receptacle that does not comply with the requirements of this Bylaw.

3.26 A fire in a Fire Receptacle shall be supervised at all times.

3.27 No Person shall burn, at any time, on any Premises, the following materials:

- (i) treated or painted lumber;
- (ii) lumber products containing glue or resin;
- (iii) wet or unseasoned wood;
- (iv) leaves, brush or yard waste;
- (v) garbage;
- (vi) rubber, tires or plastic; or
- (vii) any animal carcass or part thereof.



### GRAFFITI PREVENTION AND ABATEMENT

3.28 No Person or Owner shall place Graffiti or cause it to be placed on any Premises.

3.29 An Owner or Occupier of Premises shall, within 5 days of a Notice issued by a Peace Officer, ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view.

### EXCAVATIONS AND PONDING WATER

3.30 No Owner or Occupier of Premises shall allow an excavation, drain, ditch or other depression in the ground to become or remain a danger to public safety.

3.31 If, in the opinion of a Peace Officer, a water-course, pond or other surface of water becomes or remains a Nuisance or poses a danger to public safety, a Peace Officer may declare the water-course, pond or other surface water a Nuisance and require the Owner or Occupier of the Premises to eliminate the Nuisance or danger.

### ADDRESSING

3.32 The Owner or Occupier of Premises on which a Building has been erected shall display the number assigned to the Premises at a location plainly visible from the street in front of the Premises.

3.33 The Owner or Occupier of Premises on which a Building has been erected that has access to a Lane shall display the number assigned to the Premises at a location plainly visible from the Lane.

### LITTERING

3.34 No Person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Premises, including any street, lane, sidewalk, parking lot, park, public transportation vehicle, or other public place or water course any Waste material.

### PROHIBITED NOISE

3.35 A Person shall not cause or permit any Noise that annoys or disturbs the peace of any other Person.

3.36 A Person shall not permit Premises they own or occupy to be used so that Noise from the Premises annoys or disturbs the peace of any other Person.

3.37 In determining what constitutes noise likely to annoy or disturb the peace of others, the following criteria may be considered:

- (i) type, volume, and duration of the sound;
- (ii) time of day and day of week;

- (iii) nature and use of the surrounding area;
- (iv) any other relevant factor.

3.38 No Person shall operate a hand or power lawn mower, leaf blower, snow removal device or other device creating a noise or disturbance which may be heard in a residential building between the hours of 10:00 pm and 7:00 am on a Week Day and from 10:00 pm to 9:00 am on a Weekend.

3.39 No Person shall operate sound amplifying equipment from any Premises, park or other public space which may be heard in a residential building between the hours of 10:00 pm and 7:00 am on a Week Day and from 10:00 pm to 9:00 am on a Weekend.

3.40 A Person who owns, keeps, houses, harbours, or allows to stay on Premises an animal which by reason of barking, or howling, disturbs Persons in the vicinity of Premises is guilty of an offence under this bylaw.

3.41 No drinking establishment shall permit any noise to emanate from the premises of such drinking establishment such that it annoys or disturbs any other person outside the boundary of the drinking establishment.

3.42 In the operation or carrying on of an industrial or construction 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.

3.43 A Person who owns, occupies or controls a truck-tractor or tractor-trailer must not at any time allow it to remain running for longer than 20 minutes when it is stationary in a residential district or within 50 meters of a residential development.

#### 3.44 Permits

- (i) A Person may make a written application to the Chief Administrative Officer for a temporary permit allowing for noise or sound levels that would otherwise violate this Bylaw.
- (ii) Any application must be made at least 5 business days prior to the proposed activity and must contain sufficient information pertaining to the activity for which the exemption is sought.
- (iii) Upon receipt of an application, the Chief Administrative Officer may issue the temporary permit, where the Chief Administrative Officer determines those circumstances make it impractical for the applicant to comply with this Bylaw; impose any conditions on the issuance or use of the permit that the Chief Administrative Officer considers appropriate; refuse to issue a permit; or revoke the temporary permit that has been issued, where the Chief Administrative Officer determines that the applicant has not taken sufficient measures to minimize the noise or sound levels.

### 3.45 Exemptions

- (i) A Person may operate a snow clearing device powered by an engine for the purpose of clearing snow from Highways, school, commercial or industrial sites located adjacent to or within residential districts if it is in the best interest of the public and their safety and at a time when there will be minimal vehicular and/or pedestrian traffic that may obstruct such snow removal operations.

## **PART 4 – POWERS OF PEACE OFFICERS**

### INSPECTIONS

4.01 A Peace Officer and Chief Administrative Officer are hereby authorized in accordance with Section 542 of the *Municipal Government Act* to enter any Premises after giving reasonable notice to the Owner or Occupier of the Premises to be inspected; and to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw upon having reasonable and probable grounds.

4.02 If a Peace Officer considers any Premises to be in contravention of any section of this Bylaw, the Peace Officer may issue a verbal or written Order to the Owner or Occupier to remedy any condition(s) of the subject Premises that have been found to be in contravention of this Bylaw.

4.03 If a Person

- (a) Refuses to allow or interferes with the entry, inspection, enforcement or action referred to in Sections 4.01 or 4.02, or
- (b) Refuses to produce anything to asset in the inspection, remedy, enforcement or action referred to in Sections 4.01 or 4.02, the municipality may apply to the Court of Queen's Bench for an Order under Section 543(2) of the *Municipal Government Act*.

### ISSUANCE OF BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET

4.04 A Peace Officer is authorized to issue a Bylaw Violation Tag to any Person that the Peace Officer believes on reasonable and probable grounds has contravened any provision of this Bylaw.

- (a) Notwithstanding any other provision of this Bylaw a Peace Officer is authorized to immediately issue a Province of Alberta Violation Ticket pursuant to the *Provincial Offences Procedures Act*.
- (b) A Bylaw Violation Tag may be issued to a Person personally, or by mailing a copy to the person at his or her last known address.
- (c) Nothing in this Bylaw shall prevent a Peace Officer from issuing a Bylaw Violation Tag or Provincial Violation Ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.
- (d) If the penalty specified on the Bylaw Violation Tag served to a Person is not paid within a prescribed time period then a Peace Officer is authorized to

issue a Provincial Violation Ticket pursuant to the *Provincial Offences Procedures Act*.

#### ORDERS BY PEACE OFFICER

4.05 Where Premises are found to be in violation of any provisions of this Bylaw, the Peace Officer may in accordance with Section 545 of the *Municipal Government Act* issue a written Order to the Owner or Occupier of the Premises to remedy the condition on the Premises which violates this Bylaw.

4.06 An Order written pursuant to Section 4.05 may:

- (a) Direct a Person to stop doing something, or to change the way in which the person is doing it;
- (b) Direct a Person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a Building that has been erected or placed in contravention of a bylaw, and if necessary, to prevent a reoccurrence of the contravention;
- (c) State a time within which the Person must comply with the directions;
- (d) State that if the Person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the person.

4.07 Without limiting the powers under Section 4.05 and 4.06, an order written pursuant to Section 4.05 may:

- (a) Require the owner of a Building in disrepair to eliminate the danger to the public safety in the matter specified, or remove and demolish the Building and level the site;
- (b) Require the Owner of the Premises that contains the excavation or hole to eliminate the danger to public safety in the manner specified, or fill in the excavation or hole and level the site;
- (c) Require the Owner of Premises that is in an unsightly condition improve the appearance of the Premises in the manner specified, or if the Premises is a Building, remove or demolish the Building and level the site.

#### SERVICE OF AN ORDER

4.08 Service of an Order upon an Owner shall be sufficient if it is:

- (i) Personally served upon the Owner or Occupant;
- (ii) Only served by mail if the Premises is not occupied by the Owner;
- (a) Left with a competent Person residing with said Owner or Occupier; or
- (b) Posted to the door of the Premises or in any other conspicuous place on the Premises.



- 4.09 Such Orders shall be deemed to have been received:
- (a) seven (7) days from the date of mailing; or
  - (b) on the day it is left with a competent Person residing with an Owner or Occupier or posted on the Premises.
- 4.10 Each Order shall:
- (a) Describe the Premises by its municipal address and legal description;
  - (b) Identify the date that it is issued;
  - (c) State how the Premises contravenes the provisions of this Bylaw;
  - (d) Give reasonable particulars of the extent of the clean-up, removal, clearing or other actions required to be made;
  - (e) State the time within which the clean-up, removal, clearing or other actions are to be done;
  - (f) State that if the required actions are not done within the time specified, the Town may:
    - (i) Carry out the actions required and charge the cost thereof against the Owner or Occupier; or
    - (ii) Cause a Violation Ticket to be served upon the Owner or Occupier pursuant to Part 2 of the Provincial Offences Procedure Act;

#### FAILURE TO COMPLY WITH AN ORDER

4.11 When an Owner or Occupier fails to remedy a contravention of this Bylaw within the time allowed in an Order issued under Section 4.09 of this Bylaw, the Town may exercise its powers under s 546.1, 549 or 550 of the *Municipal Government Act* in its discretion, including but not limited to entering upon the Premises to perform or complete the work necessary to remedy the violation of this Bylaw. The costs incurred by the Town to remedy the violation, as well as any applicable fines under this Bylaw, will be billed to the Person registered under the *Land Titles Act* and will be amounts owing to the Town. If the costs are not paid in the time specified by the Town, the costs may be charged against the property as a special assessment to be recovered in the same manner as other taxes and in accordance with Section 553, 553.1 or 553.2 of the MGA.

4.12 Every Person who fails to comply with a written Order issued pursuant to this section within the time set out in the written Order commits an offence.

4.13 An Owner or Occupier served with an Order may comply with the Order by entering into a written agreement with the Town, for the Town to carry out the actions required by the Order.

4.14 The Chief Administrative Officer may take whatever actions or measures necessary to eliminate any danger to public or deal with unsightly conditions of the Premises in accordance to powers and authority provided to a municipality through the *Municipal Government Act* Section 550. Pursuant to the Section 551 of the *Municipal*

*Government Act*, in an emergency the municipality may take whatever actions or measures are necessary to eliminate the emergency.

#### REVIEW BY COUNCIL / APPEALS

4.15 A Person who receives a written Order to comply with section 545 of the *Municipal Government Act*, may by written notice within 14 days after the date the Order is received, request Council to review the Order.

4.16 A Person who receives a written Order to comply with section 546 of the *Municipal Government Act*, may by written notice within 7 days after the date the Order is received, request Council to review the Order.

4.17 After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.

4.18 If a Person considers himself aggrieved by a decision under 4.16, he may appeal the decision by originating notice to the Court of Queen's Bench:

(i) in the case of an Appeal of an Order under section 545 of the *Municipal Government Act*, within 30 days after the date the decision under section 547 of the *Municipal Government Act* is served on the person affected by the decision, and,

(ii) in the case of an Appeal of an Order under section 546 of the *Municipal Government Act*, within 15 days after the date the decision under section 547 of the *Municipal Government Act* is served on the person affected by the decision.

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

#### GENERAL PENALTY PROVISION

4.20 Any Person who contravenes any provision of this Bylaw is guilty of a summary conviction offence punishable by a fine of not less than fifty dollars and not exceeding five thousand dollars or to imprisonment for a period not exceeding six (6) months or both. Mandatory minimum penalties for offences of this Bylaw are listed in Schedule 'A'.

4.21 Offences of a continuing nature shall be deemed to constitute a separate offence for each day or part of a day that the offence continues.

4.22 Any Person who is found in contravention of the same section of this Bylaw on more than one occasion will be liable to an increased penalty for that contravention if the Section violated in Schedule 'A' stipulates increased fines for second and third offences.

APPEALS UNDER THE WEED CONTROL ACT

4.23 Community Standards Appeal Board:

- (a) The Community Standards Appeal Board shall constitute the independent committee contemplated by Section 19 of the *Weed Control Act* to hear appeals of orders or notices relating to this Section and the *Weed Control Act*.
- (b) Any appeal filed pursuant to the *Weed Control Act* or this Section shall be heard by the Community Standards Appeal Board within five (5) days of the receipt of the notice of appeal by the Chief Administrative Officer.
- (c) A notice of appeal respecting this Section must be delivered personally or sent by certified or registered mail to the Chief Administrative Officer within 10 days of the issuance of the Order or Notice.
- (d) Pursuant to the *Weed Control Act* and the Regulation, any notice of appeal filed with respect to a notice under this Section or the *Weed Control Act* shall be accompanied by a deposit in the amount of \$500.00, which shall be refunded if the applicant's appeal is successful.

**PART 5 - COMMENCEMENTS**

This bylaw shall take effect on the date of the 3rd and final reading

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.


- 1) Community Standards Bylaw 16-10 and Amendments are hereby repealed.


The Bylaw shall come into force and effect upon final passing.

**Read** a first time this 18<sup>th</sup> day of March, 2019.

**Read** a second time this 29<sup>th</sup> day of April, 2019.

**Read** a third time this 29<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

## Schedule A

## COMMUNITY STANDARDS BYLAW FINES

<b>Accumulation of Offensive Material</b>	3.02	\$ 250.00
a) second offence		\$ 500.00
b) third and subsequent offences		\$ 750.00
<b>Exposed Storage of Harmful Fluids</b>	3.03	\$ 250.00
<b>Accumulation of Material Visible from Off Premises</b>	3.04-3.07	\$ 250.00
a) second offence		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Derelict Equipment</b>	3.06	\$ 500.00
<b>Waste Infraction</b>	3.08-3.10	\$ 250.00
a) second offence		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Failure to maintain grass</b>	3.11	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Failure to maintain trees and shrubs</b>	3.12	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Failure to destroy weeds</b>	3.13	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Direct water flow to adjoining Premises</b>	3.15	\$ 250.00
<b>Improper direction of downspout</b>	3.16	\$ 500.00
<b>Smoke or dust escaping Premises</b>	3.17	\$ 500.00
<b>Light directed to adjacent Premises</b>	3.18	\$ 300.00
<b>Flyers and Debris escaping premises</b>	3.19	\$ 300.00
<b>Improper disposal of snow, ice, dirt, leaves, debris</b>	3.20	\$ 300.00
<b>Accessory Building or fence safety hazard</b>	3.21	\$ 300.00



<b>Accessory Building or fence unsightly</b>	3.22	\$ 300.00
<b>Dilapidated / Damaged Building</b>	3.23	\$ 300.00
<b>Signage Infraction</b>	3.24	\$ 250.00
<b>Prohibited or Non-Compliant Fire</b>	3.25	\$ 500.00
<b>Unsupervised Fire</b>	3.26	\$ 500.00
<b>Burn Prohibited Materials</b>	3.27	\$ 500.00
<b>Placing Graffiti on Premises</b>	3.28-3:29	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Hazardous excavation, drain, ditch or depression</b>	3.30	\$ 300.00
<b>Improper address or failure to address the front of Premises facing street</b>	3.32	\$ 300.00
<b>Improper address or failure to address the rear of Premises adjacent to lane</b>	3.33	\$ 300.00
<b>Depositing litter on Public Place</b>	3.34	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
<b>Prohibited Noise</b>	3.35-3.43	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) Third and subsequent offences within same calendar year		\$ 750.00
<b>Failure to Comply with a Notice or an Order</b>	4.11	\$ 500.00

\*The fine for the first offence may be waived if the offender successfully completes Community Service Hours as directed by the Town.

**TOWN OF DRUMHELLER  
BYLAW NO. 08.19**

Being a bylaw of the Town of Drumheller in the Province of Alberta, pursuant to the provisions of Section 8(d) of the Municipal Government Act, R.S.A. 2000,c. M-26 and amendments thereto, to provide for the establishment of a Tourism Corridor and Community Standards Appeal Board;

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF DRUMHELLER ENACTS AS FOLLOWS:

**TITLE**

1. This bylaw may be cited as the "Tourism Corridor and Community Standards Appeal Board Bylaw".

**DEFINITIONS**

2. In this Bylaw unless the context otherwise requires;
  - (a) "*Applicant*" means a person who is seeking a Tourism Corridor and Community Standards Appeal;
  - (b) "*Board*" means the Tourism Corridor and Community Standards Appeal Board established by this Bylaw;
  - (c) "*Chairman*" means the Chairman of the Board;
  - (d) "*Tourism Corridor and Community Standards Appeal*" means the appeal of:
    - (i) an Order issued pursuant to the Tourism Corridor Property Standards Bylaw 04.19 and the Community Standards Bylaw 06.19;
    - (ii) an Order issued pursuant to Section 545 of the Municipal Government Act R.S.A. 2000, c.M-26 regarding contraventions of other Bylaws or enactments that the Town is authorized to enforce;
    - (iii) an Order issued pursuant to Section 546 of the Municipal Government

Act R.S.A. 2000, c.M-26; or

(iv) an Order issued under the Weed Control Act, R.S.A. 2008, c.W-5-1.

- (e) "Council" means the Municipal Council of the Town;
- (f) "Order" means a written Order identifying a contravention of these Bylaws and stipulating the actions that the Owner or Occupier shall take to remedy the contravention.
- (g) "Town" means the Town of Drumheller, a municipal corporation and, where the context so requires, the area included within the boundaries of the said Municipal Corporation.

### **ESTABLISHMENT OF THE COMMUNITY STANDARDS APPEAL BOARD**

- 3. (a) There is hereby established a Tourism Corridor and Community Standards Appeal Board which shall have jurisdiction to hear and determine all appeals submitted by Applicants to the Town of Drumheller.
  - (i) The Board shall be a Committee of Council.
- (b) Council shall each year appoint by resolution not less than three members of Council to act as a Board of Appeal to review any Order issued under the Tourism Corridor Property Standards Bylaw 04.19 and the Community Standards Bylaw 06.19 and Sections 545 and 546 of the Municipal Government Act R.S.A. 2000, c.M-26 and the Weed Control Act R.S.A. 2008, c.W-5-1.
- (c) In the event that any member of the Board is not in attendance at a meeting of the Board, any other member of Council may sit as substitute for that member on the Board.
- (d) The Chairman shall be elected by the members of the Board and they shall be entitled to vote in all decisions made by the Board.
- (e) In the event that the Chairman is not in attendance at a meeting of the Board, the members present may elect a chairman who shall chair the meeting of the Board for the duration of that meeting only.
- (f) Two members present shall constitute a quorum.

(g) The Board may establish its own rules of procedure.

**APPEAL OF ORDERS ISSUED UNDER THE WEED CONTROL ACT, RSA. 2008,  
c.W-5.1**

4. (a) Any Notice of Appeal filed with respect to a Weed Notice shall be accompanied by a deposit in the amount of \$500.00, which shall be refunded if the applicant's appeal is successful.
- (b) A Notice of Appeal will not be considered as having been filed unless the notice of appeal and fee referred to in Subsection (1) above have been received by the Town of Drumheller within ten (10) days of receiving the Order.
- (c) The fee referred to in Subsection (1) above shall not be waived under any circumstances.
- (d) The Town of Drumheller shall, upon receipt of a notice of appeal, set a date for the hearing of the appeal which hearing shall be held within five (5) days from the day of receipt of the Notice of Appeal pursuant to the provisions set out in the Weed Control Regulation 19/2010.
- (e) After reviewing the Order, the Board may confirm, rescind or vary the Order.

**APPEAL OF ORDERS UNDER SECTION 545 AND 546 OF THE MUNICIPAL  
GOVERNMENT ACT, RSA. 2000, c.M-26 AND THE TOURISM CORRIDOR  
PROPERTY STANDARDS BYLAW 04.19 AND THE COMMUNITY STANDARDS  
BYLAW 06.19**

5. (a) Any notice of appeal filed with respect to a Remedial Order shall be accompanied by a deposit in the amount of \$250.00, which shall be refunded if the applicant's appeal is successful.
- (b) A person to whom an Order is directed may seek a review of the Order by filing a Notice of Appeal will not be considered as having been filed unless the notice of appeal and fee referred to in Subsection (1) above have been received by the Town of Drumheller within fourteen (14) days of receiving the Order issued under the provisions of Section 545 of the Municipal Government Act R.S.A. 2000, c.M-26, and within seven (7) days of receiving the Order issued under Section 546 Municipal Government Act R.S.A. 2000, c.M-26.



(c) The fee referred to in Subsection (1) above shall not be waived under any circumstances.

(d) The Town of Drumheller shall, upon receipt of a Notice of Appeal, set a date for the hearing of the appeal which hearing shall be held within fifteen (15) days from the day of receipt of the Notice of Appeal.

(e) After reviewing the Order, the Board may confirm, vary, substitute or cancel the Order.

- 6. If a Person affected by the decision of the Board, may appeal the decision to the Court of Queen’s Bench if:
  - (a) The procedure required to be followed by this Act is not followed, or
  - (b) The decision is patently unreasonable.

The appeal must be made:

(i) in the case of an Appeal of an Order under section 545 of the *Municipal Government Act*, within 30 days after the date the decision under section 547 of the *Municipal Government Act* is served on the person affected by the decision, and,

(ii) in the case of an Appeal of an Order under section 546 of the *Municipal Government Act*, within 15 days after the date the decision under section 547 of the *Municipal Government Act* is served on the person affected by the decision.


Bylaw 22.10 is hereby repealed.

This Bylaw shall take effect on the date of the third and final reading.

READ A FIRST TIME this 29<sup>th</sup> day of April, 2019.

READ A SECOND TIME this 13<sup>th</sup> day of May, 2019

READ A THIRD TIME AND PASSED this 13<sup>th</sup> day of May, 2019

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer