

Town of Drumheller COUNCIL MEETING AGENDA

Monday, March 18, 2019 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta



Page

1. **CALL TO ORDER**
2. **MAYOR'S OPENING REMARK**
 - 2.1. Council Committee of March 25th, 2019 is cancelled
3. **ADOPTION OF AGENDA**
4. **MINUTES**
 - 4.1. **ADOPTION OF REGULAR COUNCIL MEETING MINUTES**
 - 3 - 9 4.1.1. Regular Council Meeting Minutes of February 19, 2019
[Regular Council Meeting Minutes of February 19, 2019](#)
 - 4.2. **MINUTES OF MEETING PRESENTED FOR INFORMATION**
 - 10 - 25 4.2.1. Municipal Planning Commission Meeting Minutes of January 25, 2019
Municipal Planning Commission Meeting Minutes of February 14, 2019
[MPC Meeting Minutes of January 25, 2019](#)
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 - 4.3. **BUSINESS ARISING FROM THE MINUTES**
5. **DELEGATIONS**
6. **REQUEST FOR DECISION REPORTS**
 - 6.1. **CAO**
 - 26 - 28 6.1.1. 2019 - 2021 Operating Budget Approval
 - 6.1.2. Bylaw 17.18 being a bylaw for the purpose of implementing a non residential development incentive program for the Town of Drumheller - second and third readings
[Bylaw 17.18 being a bylaw for the purpose of implementing a non residential development incentive program - second and third readings](#)
 - 29 6.1.3. Bylaw 19.18 being a bylaw for the purpose of waiving fees for new businesses in existing non residential vacant buildings within the Town of Drumheller - second and third readings
[Bylaw 19.18 being a bylaw for the purpose of waiving fees for new businesses in existing non residential vacant buildings - second and third readings](#)
 - 30 6.1.4. Bylaw 22.18 being a bylaw for the purpose of implementing a non residential tax incentive program for owners of existing non residential vacant buildings within the Town of Drumheller - second and third readings
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 - 31 - 37 6.1.5. Bylaw 01.19 being the Municipal Emergency Management Plan - first reading
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 - 38 - 43 6.1.6. Bylaw 02.19 being a bylaw for the purposes of respecting the safety, health and welfare of people, and the protection of people and property within the Town of Drumheller (Public Behavior Bylaw) - first reading

- [Bylaw 02.19 being the Public Behaviour Bylaw](#)
- 44 - 59 6.1.7. Bylaw 04.19 being the Tourism Corridor Bylaw - second and third readings
[Bylaw 04.19 being the Tourism Corridor Bylaw - second and third readings](#)
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- 60 - 62 6.1.8. Bylaw 05.19 being the Supplementary Tax Bylaw - first reading
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- 6.1.9. Rescind MO2019.23 and MO2019.24 pertaining to second reading of the Community Standards Bylaw 07.18
- 63 - 80 6.1.10. Bylaw 06.19 being the Community Standards Bylaw - first reading
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- 81 - 82 6.1.11. Bylaw 07.19 being a bylaw to amend Penalty on Unpaid Taxes Bylaw - first reading
[Bylaw 07.19 being a bylaw to provide for the imposition of penalties on unpaid taxes - first reading](#)
- 83 6.1.12. Council Policy - Safety Policy
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- 84 - 85 6.1.13. RFD - Appointment to the Economic Development Advisory Committee
[RFD - Economic Development Advisory Committee Appointment](#)
- 86 - 87 6.1.14. RFD - Appointment to Heritage, Arts and Culture Committee
[RFD - Heritage, Arts and Culture Committee Appointment](#)

6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES

6.3. DIRECTOR OF INFRASTRUCTURE SERVICES

6.4. DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES

6.5. REVIEW OF STRATEGIC BUSINESS PLAN WORK PRIORITIES

- 6.5.1. Community Profile / Promo Piece
Economic Development Strategy Action Plan

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

9. PUBLIC HEARING DECISIONS

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

13. IN-CAMERA MATTERS

**Town of Drumheller
COUNCIL MEETING
MINUTES**

February 19, 2019, at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Heather Colberg

COUNCIL:

Kristyne De Mott

Jay Garbutt

Lisa Hansen-Zacharuk

Fred Makowecki

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER:

Darryl Drohomerski

DEPUTY CAO/DIRECTOR OF CORPORATE SERVICES:

Barb Miller

DIRECTOR OF PROTECTIVE EMERGENCY SERVICES:

Greg Peters

COMMUNICATIONS OFFICER/ECONOMIC DEVELOPMENT OFFICER:

Julia Fielding

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Tony Lacher

1. CALL TO ORDER

Mayor Heather Colberg called the meeting to order at 4:30 PM.

2. MAYOR'S OPENING REMARK

Mayor Colberg thanked the Town's FCSS organizers and volunteers for hosting a great Family Day.

Mayor Colberg reminded the residents of the upcoming opportunities:

Police Survey is live on the Town's website or hard copy is available at Town Hall;
Tourism Corridor and Tax Incentive Bylaws Open House is February 28th from 6:30 PM
– 8:00 PM

3. ADOPTION OF AGENDA

MO2019.21 Hansen-Zacharuk, Garbutt moved to adopt the agenda as presented.
Carried unanimously.

4. MINUTES

4.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

4.1.1. Regular Council Meeting Minutes of February 4, 2019

MO2019.22 Hansen-Zacharuk, Zariski moved to adopt the Regular Council Meeting Minutes of February 4, 2019 as presented. Carried unanimously.

4.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

4.3. BUSINESS ARISING FROM THE MINUTES

5. DELEGATIONS

5.1 Ryan Semchuk – Travel Drumheller, Board of Directors Chair and Marketing and Brand Director for Canalta Hotels for Alberta, Saskatchewan and Manitoba

Ryan explained that as a member of the Economic Development Task Force he is presenting steps on how to brand and build a new logo for the Town of Drumheller. He further explained that branding the community comes first and then a logo is built based on the brand – new look and feel of where we want to take Drumheller as a community. He stated that Drumheller is envied by many municipalities around the country because of what we have. Highlights are taken from Roger Brooks and other online resources and include the following:

- Why is branding different than creating a logo? Branding is the art of setting yourself apart from other communities - a cohesive message that the community buys into to bring more cash, people and more economic development into our community.
- #1 Rule – it is far better to be a big fish in a small pond than a small fish in a big pond – shotgun marketing does not work – we can not be everything to everyone;
- #2 Rule – it’s about marketing what we have “to close the sale” (4 areas of change – 1) entering a public sector recession – no money and we are trying to balance the budget; 2) every community in north America was founded on a natural resource; 3) internet has changed everything – the way we market – new age of technology; and 4) we must set ourselves apart from other communities - we must jettison the generic – the narrower your focus the stronger your success will be;
- #3 Rule - logos and slogans are not brands – logos must be created from the brand – need to be simple and easily recognizable – and can be added to a multiple of applications – cannot create a logo out of a high-quality photo;
- #4 Rule – a brand is a perception (local perception of the community or public perception of the those who travel here) – what people think of when Drumheller’s name is mentioned; it is not what we say we are;
- #5 Rule - successful brands are built on products; the product will sell itself;
- #6 Rule - we want a community mix of businesses when it comes to a branding exercises;

- #7 Rule - great brands start with an action plan with specific dates and specific duties and a team behind it that moves it forward;
- #8 Rule – 3 killers in a branding exercise: 1) local politics - need to put the trust in the group that we empower to move the branding forward - branding is not a top down exercise - we need buy-in from community members and local businesses; 2) lack of champion – good idea but left to the Town that doesn't have a lot of resources to get it done; and 3) lack of money.
- Drumheller's brand? A lot of sub-brands: dinosaurs, valley, beautiful landscape, mining, agriculture, outdoor adventure, retirement community, want to be the most sought-after community, etc. – how do we market all of these things if they are similar to every other community? During the Task Force discussions, Laverne Erickson provided a brand narrative for Drumheller (it talked about what our community is). He recommended that Laverne's narrative be revisited during the branding exercise.
- The brand exercise will create a visual identify guide for the community; it will become "a cohesive branding Bible" for the community to be used as a guide by the DMO, local Chamber, designers and everyone that markets our community. It would create brand standards for the downtown core, tourism signage, color palette, etc. creating a consistent look and feel in the community.
- Roger Brooks case studies presented – Okotoks and Old Strathcona, .
- The branding exercise requires trust between politicians and the citizens. He recommended that a Brand Development Committee be formed comprised of Economic Development Advisory Committee representative, Chamber representative, one Elected Official, one Town Administration, and six representatives from the Downtown Core business sector and a facilitator – recommendation to bring in Roger Brooks.

In response to Council's question on why go through the branding exercise when we know that Drumheller's brand is the badlands and dinosaurs, R. Semchuk explained that since the branding has already been established, the exercise would focus more on how to properly communicate the branding. He explained that the exercise is about turning badlands and dinosaurs into a concept – a marketing message that is going to bring people into our community. He further explained that through the exercise process, an external marketing message would be created that can be used locally and corporately. He stated that the Town's current website needs to be updated to improve the corporate image and user experience. He stated that the branding workshop would cost about \$15,000 with the focus being on how to market the brand. He foresees that this would be a one-month process if the right team is in place and given the empowerment.

6. REQUEST FOR DECISION REPORTS

6.1. CAO

6.1.1 Bylaw 07.18 being the Community Standards Bylaw

G. Peters advised that Clause 3.05 will address concerns relating to derelict vehicles not allowed to be stored on a property however the word "Screened" will be removed.

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He further advised the removal of the word screened (which refers to a tarp) would only allow derelict vehicles and parts to be housed in a garage. He further suggested that Council allow derelict vehicles on a property for a 14-day period. Councillor L. Hansen-Zacharuk stated that a vehicle could be part of an estate settlement and would need to remain on the Premises for a longer period than 14 days. D. Drohomerski recommended that the wording be “permitted to the satisfaction of the CAO”.

D. Drohomerski provided the following overview:

Prohibited Noise – D. Drohomerski explained that decibels were only sited in the City of Calgary’s Bylaw – Drumheller’s bylaw follows other communities’ and is general and discretionary in nature. The following clauses have been added: Clause 3.34 - anyone who occupies a large truck is not allowed to idle for more than 20 minutes; Clause 3.46 - snow removal work can be carried out outside of regular hours; Clause 3.39 hours have been set for hand or power equipment. Clause 3.41 – addresses disturbances caused by animals barking or howling; Clause 3.42 – addresses disturbances caused from drinking establishments especially as it relates to outdoor patios in residential areas.

Schedule A – fees have been standardized – first offence - \$250; second offence -\$500; and third and subsequent offences \$750.

D. Drohomerski recommended proceeding to 2nd reading of bylaw 07.18.

MO2019.23 Zariski, Garbutt moved second reading of Bylaw 07.18.

Council comments:

Clause 3.20 – can a person place snow on the road if it is not possible to place it on their property? D. Drohomerski stated no and the definition of highway includes sidewalk.

Clause 3.44 – there are sections of Town where trucks idling 150 meters from a residential area is not appropriate. D. Drohomerski recommended that the distance from a residential area be changed to 50 meters.

Clause 3.40 – rethink this clause if sound equipment is being used for the plaza and Canada Day events for instance.

Prohibited Noises – recommendation to use decibels in the bylaw as it was more helpful than hindering in the former bylaw. D. Drohomerski disagreed stating that the decibels sited in the former bylaw can be compared to two people talking loudly at 65 decibels and questioned what decibel number would be appropriate for comparison purposes.

Clause 3.28 – fire pits - recommendation to remove time restraints for the purpose of allowing a fire on private property.

Section on Signage – recommendation to remove entire section and administered under the Land Use Bylaw for both the Community Standards Bylaw and the Tourism Corridor Bylaw.

MO2019.24 Garbutt, Hansen-Zacharuk moved to table voting on second reading until Administration brings back the amended version of Bylaw 07.18. Carried unanimously.

6.1.2 Bylaw 03.19 being a bylaw to amend the Land Use Bylaw by redesignating Plan 3587 Block 47 Lot A from CS (Community Services District) to R-4 (Residential District)

D. Drohomerski presented Bylaw 03.19 which proposes a change to the zoning for property known as the former Town Hall. He advised that the applicant wishes to build an apartment.

MO2019.25 Zariski, Hansen-Zacharuk moved first reading of Bylaw 03.19. Carried unanimously.

6.1.3 Bylaw 04.19 being the Tourism Corridor Bylaw

D. Drohomerski presented Bylaw 04.19 being a bylaw for the purposes of establishing property standards along Drumheller's Tourism Corridor which includes properties within the downtown core and along Highways 9, 10, 575 and 838 (as identified on the attached map).

MO2019.26 Garbutt, Zariski moved first reading of Bylaw 04.19. Carried unanimously

6.1.4 RFD – Professional Engineering Services for Paved Roads and Bridge Structures 2019-2021

D. Drohomerski advised that a total of nine bids were received on January 10th, 2019 from firms to provide design, inspection and construction services for road and bridge structures that belong to the Town. He further advised that the Town also provides these services to Alberta Transportation for highways that are within the boundaries of the Town. Alberta Transportation reimburses the Town for these services. He advised that a detailed review of the proposals was conducted over the last month and the bids were evaluated against a pre-determined set of criteria.

MO2019.27 Zariski, Hansen-Zacharuk moved to award the contract for Professional Engineering Services for Paved Roads and Bridge Structures 2019 – 2021 to MPE Engineering Ltd.

In response to a question from Council on why MPE scored the highest, D. Drohomerski stated that MPE's highest mark was based on their qualifications, their familiarity with Drumheller, their experience on other projects and clients size to Drumheller and based on their fee schedule.

Vote on Motion: Carried unanimously.

6.1.5 Three Year Operating Budget Discussion

In response to a question from Mayor Heather Colberg on why the Town does not approve three-year operating budgets considering the significant time involved for staff to prepare the budget, B. Miller stated that Council is presented with a three-year budget cycle. Mayor Colberg recommended that the Town approve a three-year operating budget and only come back to the table with revisions. B. Miller stated that the approval of three year budget would not reduce the amount of time required to do an annual operating budget.

6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES

6.3 DIRECTOR OF INFRASTRUCTURE SERVICES

6.4 DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES

6.5 REVIEW OF STRATEGIC BUSINESS PLAN WORK PRIORITIES

Fill vacancies – D. Drohomerski stated that the Manager of Economic Development has been hired - Sean Wallace will commence employment on April 1st.

Elks demolition – D. Drohomerski stated that the tender was awarded to Dakota Reclamators and the work will be completed by the end of March.

Infrastructure Master Plan TIC asset – engage municipal accountant – B. Miller stated that the job posting has been advertised for several months however there has been little interest from designated accountants with municipal experience for a temporary position.

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

9. PUBLIC HEARING DECISIONS

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

Round table

Councillor J. Garbutt stated that from the poverty session held recently, it was discussed that there was no emergency shelter in Drumheller, Drumheller Housing Administration is considering leaving one apartment at the Sandstone Manor vacant for emergency shelter purposes. He stated that the Town needs to consider whether they will gift the rent or receive a lower reserve payment. He further stated that there may be another organization that will come forward to pay the rent.

Councillor J. Garbutt left the meeting at 6:30 PM.

Councillor L. Hansen-Zacharuk requested a discussion item on a future Council agenda on the health benefits of fluoride being added to the Town's water/

Councillor T. Zariski stated that the RCMP is looking for a new detachment commander. He further advised that the Parade Committee is still working out the details for the upcoming July 1st parade.

D. Drohomerski thanked the PW Crews who have been clearing snow since Saturday morning. He explained that once the Priority 1 areas have been cleared the crew will remove snow from the Priority 2 area routes.

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13. IN-CAMERA MATTERS PM

14. ADJOURNMENT

There being no further business, Mayor Colberg adjourned the meeting at 6:35 PM.

Chief Administrative Officer

Mayor



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**Municipal Planning Commission
MINUTES
Meeting of Friday January 25, 2019**

Present: Darryl Drohomerski, CAO
Tracy Breese, Development Officer
Linda Taylor, Recording Secretary
Sharon Clark, Vice Chair – Chair for this meeting
Scott Kuntz, Member
Shelley Rymal, Member
Tony Lacher, Councillor/Member
Tom Zariski, Councillor/Member
Jeff Laurien, Palliser Regional Municipal Services Representative – Senior Planner

Absent: Stacey Gallagher, Member – Regrets

Delegate(s):

1.0 CALL TO ORDER – 12:10 pm

S. Clark presented the Agenda for the January 25, 2019 meeting.

1.1 Agenda – Additions or Deletions

Deletion - none

Addition - none

1.2 Acceptance of Agenda

Motion: - S. Kuntz moved to accept the agenda for January 25, 2019

Second: – T. Zariski - Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 January 8, 2019

Motion: T. Lacher moved to accept the minutes of January 8, 2019

Second: – T. Zariski - Carried



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3.0 DEVELOPMENT PERMITS

3.1 T00259-18D – 1962860 Alberta Ltd – As built Vaiances (5 properties)

T. Breese presented Development Permit T00259-18D submitted by 1962860 Alberta Ltd for as built variances (noted) on the properties (listed below) in Riverside Estates located at 14 Street East and 7 Avenue East, Drumheller on Plan; Block; Lot listed below.. Zoning is R-1 – Residential District.

419 14 STREET EAST LOT 15 BLOCK 2 PLAN 1611903
FRONT YARD VARIANCE TO 6.10 M
RIGHT SIDE YARD VARIANCE TO 1.49

413 14 STREET EAST LOT 12 BLOCK 2 PLAN 1611903
FRONT YARD VARIANCE TO 6.12 M
LEFT YARD VARIANCE TO 1.47 M

409 14 STREET EAST LOT 10 BLOCK 2 PLAN 1611903
FRONT YARD VARIANCE TO 6.16 M

405 14 STREET EAST LOT 8 BLOCK 2 PLAN 1611903
FRONT YARD VARIANCE TO 6.08 M
REAR YARD VARIANCE TO .97 M FOR ACCESSORY BUILDING
LOT COVERAGE AT 36.86%

1310 7 AVENUE EAST LOT 18 BLOCK 2 PLAN 1611903
FRONT YARD VARIANCE TO 6.14 M

T. Breese advised this application is for as built variances on 5 properties in the Riverside Estates. These homes are built and real property reports have been received on each of the properties. Each of the noted property variances have been double checked for accuracy.

Municipal Planning Commission discussed the application. There is no sidewalk on the 14 Street East properties. Although there is no sidewalk on the 6 Avenue East lots MPC may not entertain any front yard set other than that stated in the Land Use Bylaw of 7.6 meters with an front attached garage.

Motion: T. Zariski moved to approve Development Permit T00259-18D submitted by 1962860 Alberta Ltd for an as built variance on the front yard set back to 6.10 meters and on the right side yard set back to 1.49 meters located at 419 14 Street East, Drumheller on Plan 1611903; Block 2; Lot 15.

Second: S. Kuntz Vote in favor – 4 Opposed – 1

Motion: S. Kuntz moved to approve Development Permit T00259-18D submitted by 1962860 Alberta Ltd for an as built variance on the front yard set back to 6.12 meters and on the left yard set back to 1.47 meters located at 413 14 Street East, Drumheller on Plan 1611903; Block 2; Lot 12.

Second: T. Lacher Vote in favor – 4 Opposed – 1



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Motion: S. Kuntz moved to approve Development Permit T00259-18D submitted by 1962860 Alberta Ltd for an as built variance on the front yard set back to 6.16 meters located at 409 14 Street East, Drumheller on Plan 1611903; Block 2; Lot 10.

Second: T. Lacher Vote in favor – 4 Opposed – 1

Motion: S. Kuntz moved to approve Development Permit T00259-18D submitted by 1962860 Alberta Ltd for an as built variance on the front yard set back to 6.08 meters, a rear yard set back on the accessory building to .97 meters and lot coverage of 36.86% located at 405 14 Street East, Drumheller on Plan 1611903; Block 2; Lot 8.

Second: T. Lacher Vote in favor – 4 Opposed – 1

Motion: T. Lacher moved to approve Development Permit T00259-18D submitted by 1962860 Alberta Ltd for an as built variance on the front yard set back to 6.14 meters located at 1310 7 Avenue East, Drumheller on Plan 1611903; Block 2; Lot 18.

Second: S. Rymal Vote in favor – 4 Opposed – 1

3.2 T00003-19D – Onkell Eis-Cream – Mobile Vender

T. Breese presented Development Permit T00003-19D submitted by Onkell Eis-Cream for Mobile Vender located at multiple locations – Hoodoo, Suspension Bridge, Rotary Splash Park and the New Castle Beach/Park on Town of Drumheller Lands. Zoning is C-S – Community Service District or UT - Urban Transitional District.

T. Breese advised Onkell Eis-Cream has submitted the required supporting documentation, and has changed the hours of operation to 9 am to 8 pm; last year the start time was 10:00 am.

D. Drohomerski noted vender parking will be marked at the accepted locations.

Municipal Planning Commission discussed the application.

Motion: T. Lacher moved to approve Development Permit T00003-19D submitted by Onkell Eis-Cream for Mobile Vender located at multiple locations – Hoodoo, Suspension Bridge, Rotary Splash Park and the New Castle Beach/Park from 9 am to 8 pm daily on Town of Drumheller Lands, subject to the following conditions;

- Vendor shall provide the Development Officer with a current Alberta Health Services Food Handling Permit.
- A Mobile Vender Permit/ Business License and all other required permits and licenses must be clearly visible at the Mobile Vending Unit at all times.
- Vendor shall carry on Business daily within the hours approved on the Mobile Vending Permit.
- Vendor shall operate their business within the permitted area(s) approved by the Development Authority, as indicated on the approved Mobile Vender Permit.
- Vendor shall not impede traffic and/or pedestrians, endanger public safety or cause and unwelcome disturbance.
- Vendor shall conform to Town of Drumheller Land Use Bylaw 10-08.
- Vendor shall conform to the Town of Drumheller Community Standards Bylaw 16-10.
- Vendor shall conform to the Town of Drumheller Mobile Vender Bylaw 01-18.



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- Advertising or signage for a Vendor is limited to the space available on the Mobile Vending Unit at the location(s) as indicated on the approved Mobile Vendor Permit. One (1) A-Board Sign that complies with the requirements in the Town of Drumheller Land Use Bylaw 10-08 will be allowable at the discretion of the Municipal Planning Commission. Any other signage will require an additional Development permit.
- Vendor shall provide garbage and recycling receptacles at the Mobile Vending Unit. Each night the garbage and receptacles are to be emptied and the site around the Unit is to be cleaned up.
- Vendor shall not discard water from the daily activities, on the Unit site; it shall be discarded in the appropriate manner.
- Vendor shall place piece(s) of plywood (i.e. 2 foot by 4 foot) under any wheel(s) to displace the weight of the Unit so not to create ruts in grassy areas (if applicable).
- The Development Authority may suspend or revoke a permit issued under the Mobile Vendor Bylaw 01-18 should the holder of the permit, employee, agent or representative fail to comply with the provisions of the Bylaw.
- This permit expires on December 31, 2019.

Second: S. Rymal – Carried.

3.3 T00004-19D – Dino Donuts – Mobile Vender

T. Breese presented Development Permit T00004-19D submitted by Dino Donuts for Mobile Vender located at multiple locations – Hoodoo, Suspension Bridge, and Rotary Splash Park on Town of Drumheller Lands. Zoning is C-S – Community Service District or UT - Urban Transitional District.

T. Breese advised Dino Donuts has submitted the required supporting documentation, and has not noted the hours of operation.

D. Drohomerski noted vender parking will be marked at the accepted locations. Also noted was special events around Town, however special events require permission from the event coordinator so is not approved by MPC.

Municipal Planning Commission discussed the application. MPC noted the hours of operation for this vendor may be between the hours of 9:00 am to 9:00 pm daily.

Motion: S. Rymal moved to approve Development Permit T00004-19D submitted by Dino Donuts for Mobile Vender located at multiple locations – Hoodoo, Suspension Bridge, and Rotary Splash Park between the hours of 9 am to 9 pm daily on Town of Drumheller Lands, subject to the following conditions;

- Vendor shall provide the Development Officer with a current Alberta Health Services Food Handling Permit.
- A Mobile Vendor Permit/ Business License and all other required permits and licenses must be clearly visible at the Mobile Vending Unit at all times.
- Vendor shall carry on Business daily within the hours approved on the Mobile Vending Permit.
- Vendor shall operate their business **within the permitted area(s) approved by the Development Authority**, as indicated on the approved Mobile Vendor Permit.
- Vendor shall not impede traffic and/or pedestrians, endanger public safety or cause and unwelcome disturbance.
- Vendor shall conform to Town of Drumheller Land Use Bylaw 10-08.
- Vendor shall conform to the Town of Drumheller Community Standards Bylaw 16-10.
- Vendor shall conform to the Town of Drumheller Mobile Vendor Bylaw 01-18.



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- Advertising or signage for a Vendor is limited to the space available on the Mobile Vending Unit at the location(s) as indicated on the approved Mobile Vendor Permit. One (1) A-Board Sign that complies with the requirements in the Town of Drumheller Land Use Bylaw 10-08 will be allowable at the discretion of the Municipal Planning Commission. Any other signage will require an additional Development permit.
- Vendor shall provide garbage and recycling receptacles at the Mobile Vending Unit. Each night the garbage and receptacles are to be emptied and the site around the Unit is to be cleaned up.
- Vendor shall not discard water from the daily activities, on the Unit site; it shall be discarded in the appropriate manner.
- Vendor shall place piece(s) of plywood (i.e. 2 foot by 4 foot) under any wheel(s) to displace the weight of the Unit so not to create ruts in grassy areas.
- The Development Authority may suspend or revoke a permit issued under the Mobile Vendor Bylaw 01-18 should the holder of the permit, employee, agent or representative fail to comply with the provisions of the Bylaw.
- This permit expires on December 31, 2019.

Second: T. Lacher – Carried

3.4 T00005-19D – Stevenson Homes – New Construction Single Family Dwelling

T. Breese presented Development Permit T00005-19D submitted by Stevenson Homes for a New Construction Single Family Dwelling with a front attached garage located at 617 Bankview Drive, Drumheller on Plan 9710916; Block 4; Lot 24. Zoning is R-1 Residential District.

T. Breese advised this applicant is requesting variances to 6.0 meters on the front yard set back and variance to 33% lot coverage.

Municipal Planning Commission discussed the application.

Motion: T. Zariski moved to postpone this matter of Development Permit T00005-19D submitted by Stevenson Homes for a New Construction Single Family Dwelling with a front attached garage located at 617 Bankview Drive, Drumheller on Plan 9710916; Block 4; Lot 24 until the next Municipal Planning Commission.

Postponed to have the information submitted with the application confirmed by applicant.

Second: S. Rymal – Carried

3.5 T00006-19D – Stevenson Homes – New Construction Single Family Dwelling

T. Breese presented Development Permit T00006-19D submitted by Stevenson Homes for a New Construction Single Family Dwelling with a front attached garage located at 828 Bankview Drive, Drumheller on Plan 9710916; Block 5; Lot 14. Zoning is R-1 Residential District.

T. Breese advised this applicant is requesting a variance to 6.098 meters on the front yard set back.



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Municipal Planning Commission discussed the application.

Motion: S. Kuntz moved to approve Development Permit T00006-19D submitted by Stevenson Homes for a New Construction Single Family Dwelling with a front attached garage with a variance to 6.098 meters on the front yard set back located at 828 Bankview Drive, Drumheller on Plan 9710916; Block 5; Lot 14, subject to the following conditions;

- Development shall conform to Land Use Bylaw 10-08.
- Placement of construction as per plans submitted with application.
- If the holder of the permit wishes to make any changes in the proposed development from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
- Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. Real Property Report to be submitted to the Town of Drumheller upon completion.
- Confirmation of coverage under the Alberta New Home Warranty Program required prior to the issuance of building permit.
- Any required Safety Codes permits (i.e. building, electrical, etc.) to be obtained prior to commencement of construction/installation.
- Make provisions for proper installation of water meter as per Town of Drumheller Water/Sewer Bylaw.
- All contractor's to be in possession of a valid Town of Drumheller business license.
- Offsite levies and local improvement to be paid prior to the issuance of Safety Code Permits.
- Any/all local improvements or upgrade required for development are at owner/applicants expense. All local improvements, and construction thereof, must be approved by the Town of Drumheller including, but not limited to, approaches, driveways, frontage charges, water/sewer services, etc. Please contact 403-823-1330 for approval and specifications.
- Landscaping Plan to be in accordance with Policy C04-02 and Land Use Bylaw 10-08 and to the satisfaction of the Development Officer/Municipal Planning Commission.
- Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.

Second: T. Lacher Vote in Favor - 4 Opposed - 1.

3.6 T00008-19D – The Stuffed Kilt – Mobile Vender

T. Breese presented Development Permit T00008-19D submitted by The Stuffed Kilt for Mobile Vender located at multiple locations – Rotary Splash Park and the New Castle Beach/Park on Town of Drumheller Lands. Zoning is C-S – Community Service District.

T. Breese advised The Stuffed Kilt has submitted the required supporting documentation, and has noted hours of operation as 11 am to 6 pm Wednesday to Sunday.

D. Drohomerski noted vender parking will be marked at the accepted locations.

Municipal Planning Commission discussed the application.

Motion: S. Rymal moved to approve Development Permit T00008-19D submitted by The Stuffed Kilt for Mobile Vender located at multiple locations – Rotary Splash Park and the New Castle Beach/Park on Town of Drumheller Lands, subject to the following conditions;



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- Vendor shall provide the Development Officer with a current Alberta Health Services Food Handling Permit.
- A Mobile Vendor Permit/ Business License and all other required permits and licenses must be clearly visible at the Mobile Vending Unit at all times.
- Vendor shall carry on Business daily within the hours approved on the Mobile Vending Permit.
- Vendor shall operate their business **within the permitted area(s) approved by the Development Authority**, as indicated on the approved Mobile Vendor Permit.
- Vendor shall not impede traffic and/or pedestrians, endanger public safety or cause and unwelcome disturbance.
- Vendor shall conform to Town of Drumheller Land Use Bylaw 10-08.
- Vendor shall conform to the Town of Drumheller Community Standards Bylaw 16-10.
- Vendor shall conform to the Town of Drumheller Mobile Vendor Bylaw 01-18.
- Advertising or signage for a Vendor is limited to the space available on the Mobile Vending Unit at the location(s) as indicated on the approved Mobile Vendor Permit. One (1) A-Board Sign that complies with the requirements in the Town of Drumheller Land Use Bylaw 10-08 will be allowable at the discretion of the Municipal Planning Commission. Any other signage will require an additional Development permit.
- Vendor shall provide garbage and recycling receptacles at the Mobile Vending Unit. Each night the garbage and receptacles are to be emptied and the site around the Unit is to be cleaned up.
- Vendor shall not discard water from the daily activities, on the Unit site; it shall be discarded in the appropriate manner.
- Vendor shall place piece(s) of plywood (i.e. 2 foot by 4 foot) under any wheel(s) to displace the weight of the Unit so not to create ruts in grassy areas (if applicable).
- The Development Authority may suspend or revoke a permit issued under the Mobile Vendor Bylaw 01-18 should the holder of the permit, employee, agent or representative fail to comply with the provisions of the Bylaw.
- This permit expires on December 31, 2019.

Second: T. Lacher – Carried.

3.7 T00009-19D – Applicant – Additions & as built variance

T. Breese presented Development Permit T00009-19D submitted by Applicant for 2 additions and as built variances located at 1023 Twin Hills Close, Drumheller on Plan 8111554; Block 5; Lot 2. Zoning is R-1 Residential District.

T. Breese advised this applicant is applying for additions of a 3 season room and furnace enclosure as well as, as built variances of rear yard set back variance to 3.23 meters and a left side yard set back variance to 1.41 meters. The home was built in 1983 and it was noted that the garage was built larger than the submitted plans noted.

Municipal Planning Commission discussed the application.

Motion: T. Zariski moved to approve Development Permit T00009-19D submitted by Applicant for additions of a 3 season room and furnace enclosure as well as, as built variances of rear yard set back variance to 3.23 meters and a left side yard set back variance to 1.41 meters located at 1023 Twin Hills Close, Drumheller on Plan 8111554; Block 5; Lot 2.

Second: T. Lacher – Carried.



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4.0 PALLISER REGIONAL MUNICIPAL SERVICES

No items.

5.0 OTHER DISCUSSION ITEMS

5.1 Applicant – Convert building to rental suites

The applicant wants to reclassify a C-S Community Services property to R-4 Residential; this would be to convert the building into 4 to 6 residential rental suites. The building has zoned heating, cooling, and fire/smoke detectors. There is plenty of parking and has at least two exits for each suite.

Discussion included mention of renovations to the building, asbestos testing and remediation, should there be asbestos present.

5.2 Applicant – Home Occupation

The applicants want to run a small seasonal business out of their home to cater to tourists in the summer months. Outside and inside of the shed would be used for building product as well the front yard and deck would be used for displaying the wares. Assembly and painting of the objects would be done in the basement. Merchandise includes unique birdhouses and mirrored mosaics.

Discussion included parking space for costumes, requirements, timelines, advertisement and circulation of the application;

T. Breese read from the Town of Drumheller Land Use Bylaw 10-08;

"PART III

DEVELOPMENT PERMITS

9. Deciding on Development Permit Applications

- (e) Upon receipt of a complete application for development of a use listed as a Discretionary Use or that requires a variance, the Development Authority may provide written notice to all adjacent landowners or a greater circulation area if potential for conflict is deemed to be probable;*
- (f) After a minimum 14 days from the date of referral to any department/individual and/or to any other provincial, federal, or external agency, the Development Officer may present the application to the Municipal Planning Commission whether or not comments or recommendations have been received;"*

5.3 Introduction of Development Officer

Tracy Breese is the new Development Officer for the Town of Drumheller.

5.4 Chair person – election

The election of a new Chairperson has been tabled to next Municipal Planning Commission meeting.



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6.0 Adjournment – Meeting adjourned at 2:35 pm.

A handwritten signature in blue ink, appearing to be 'J. ...', written over a horizontal line.

Chairperson

A handwritten signature in black ink, appearing to be 'S. ...', written over a horizontal line.

Development Officer

Attachments: Agenda



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**Municipal Planning Commission
MINUTES
Meeting of Thursday February 14, 2019**

Present: Darryl Drohomerski, CAO
Tracy Breese, Development Officer
Linda Taylor, Recording Secretary
Sharon Clark, Vice Chair – Chair for this meeting
Stacey Gallagher, Member
Shelley Rymal, Member
Tom Zariski, Councillor/Member
Jeff Laurien, Palliser Regional Municipal Services Representative – Senior Planner

Absent: Scott Kuntz, Member – Regrets
Tony Lacher, Councillor/Member - Regrets

Delegate(s): **T00014-19D – entered 12:07pm exited 12:30pm**
Tony Ibrahim
Debra Bolduc
Eliza Bighetty
Gary Boucher

1.0 CALL TO ORDER – 12:06 pm

S. Clark presented the Agenda for the February 14, 2019 meeting.

1.1 Agenda – Additions, Deletions or Amendments

Addition - none

Deletion - none

Amendment – move item 3.4 T00014-19D – Restaurant & Outdoor Patio – The Royal Den to item 3.1

1.2 Acceptance of Agenda

Motion: - S. Rymal moved to accept the agenda with the amendment as noted for the February 14, 2019 agenda
Second: – S. Gallagher - Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 January 25, 2019

Motion: T. Zariski moved to accept the minutes of January 25, 2019
Second: – S. Rymal - Carried

2.2 Summary of Development Permits

Motion: S. Rymal moved to accept the Summary of Development Permits
Second: – S. Gallagher - Carried



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3.0 DEVELOPMENT PERMITS

3.1 T00014-19D – The Royal Den – Restaurant & Outdoor Patio

T. Breese presented Development Permit T00014-19D submitted by The Royal Den for restaurant and patio located at 10 3 Avenue West, Drumheller on Plan 3099AD; Block 24; Lot E of the W 24' of 9 & 10. Zoning is C-B – Central Commercial District.

T. Breese advised the restaurant portion of the permit application is a permitted use in this district. The patio is considered a discretionary use and accessory use to the main restaurant. The applicant wants to construct a temporary patio; approximately 20 feet by 20 feet in size. The applicant revised the size of the patio to 15 feet deep by 20 feet wide.

Advertising was done in the local paper. Concerns were raised and comments were received from Superior Safety Codes.

T. Breese noted from Council Policy #C-01-12 Seasonal Outdoor Patios on Public Land

"All patio barriers, furniture, and fixtures must have a consistent appearance and be

- a) Constructed of sturdy material*
- b) Designed for stability*
- c) Consistent design and appearance with street furniture in the immediate area*
- d) Designed for easy removal"*

"The patio barrier must be

- a) Constructed of sturdy material*
- b) Designed for stability*
- c) Securely anchored to the sidewalk at corners and regular intervals and possibly fastened to the building*
- d) Designed for easy removal"*

Delegates were in attendance to speak to the development permit. Concerns raised were:

- Traffic not having enough turning radius to exit the back alley (large delivery trucks)
- Height requirements for the fence required for the patio
- How will handicap individuals be able to utilize the walkway with scooters
- Parking concerns with public parking along side of the patio
- Site lines for vehicles coming out of the alley
- A fire hydrant is located in close proximity to the patio
- Alcohol on the patio

Municipal Planning Commission discussed the application.

12:32 pm in camera motion – S. Rymal second – S. Gallagher

12:40 pm out camera motion – T. Zariski second – S. Gallagher

Items noted by Municipal Planning Commission

- Fencing used should be open for line of site
- Applicant to place no parking signs on fencing
- Liability and indemnity as well as insurance as per the Patio Policy



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Motion: T. Zariski moved to approve Development Permit T00014-19D submitted by The Royal Den for restaurant and patio, to the revised patio sketch (15x20) located at 150 3 Avenue West, Drumheller on Plan 7710AP; Block 23; Lot 610 3 Avenue West, Drumheller on Plan 3099AD; Block 24; Lot E of the W 24' of 9 & 10 subject to the following conditions;

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. Development of the patio shall conform to Council Policy #C-01-12 - Seasonal Outdoor Patio Policy.
4. All necessary permits (building, electrical, plumbing, etc) to be in place prior to any construction/installation.
5. All contractors and/or sub-trades to possess a valid Town of Drumheller Business License.
6. Development to conform and meet the requirements of the Regional Fire and Health Authority. Prior to commencement of occupancy and business activities, confirmation must be provided to the Development Officer from the Local Fire and Health Authority that the building is occupiable for such purposes.
7. Applicant to ensure authorization from the property owner is obtained prior to any renovation/modification.
8. If the holder of the permit wishes to make any change in the conduct of the business that departs from the description in the application or from any other condition or restrictions imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. An additional development application may be necessary.
9. Development application is required for signage placement and made under separate application prior to placement.
10. Applicant to ensure any/all modifications to water/sewer services to the satisfaction of the Town of Drumheller. Please contact Utilities Manager at 403-823-1330 for approval and specifications.
11. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
12. Annual Business License is required.
13. Applicant must reapply to the Town each year for an outdoor patio.
14. Applicant is fully responsible for the construction, removal, and storage of any structures associated with the License area.
15. All patio barriers, furniture, furnishings and fixtures must be removed from the sidewalk by October 31 of the given year.
16. Comprehensive general liability insurance in an amount not less than \$5,000,000 inclusive per occurrence against bodily injury and property damage. The Town of Drumheller is to be added as additional insured under this policy.

Second: S. Gallagher - Carried

3.2 T00010-19D – Applicant – Change of Use

T. Breese presented Development Permit T00010-19D submitted by Applicant for change of use from 4 season cabin to a shed located near Cambria on the east side of the Cambria bridge on Plan RW334; Block OT. Zoning is A – Agricultural District.

T. Breese advised the applicant is currently using the property for recreational use as stated on the application for development permit. The purpose of this district is to provide a range of agricultural uses as well as recognizing the need for residential and other uses. No uses are listed under permitted uses only discretionary uses. In October 2018 the applicant applied for a 4 season cabin and MPC approved the application. Once the applicant looked into the building permit requirements she no longer wishes to use as a cabin. Applicant has told administration her intentions all along were to use it as a storage shed. There is no principle building on this site.



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Definition in Town of Drumheller Land Use Bylaw 10-08 "**Accessory Building**" "means a building separate and subordinate to the principal building, the use of which is incidental to that of the main building and is located on the same parcel of land;"

Advertising was done in the local paper. To date no responses have been received.

Municipal Planning Commission discussed the application.

Motion: T. Zariski moved to approve Development Permit T00010-19D submitted by Applicant for change of use from 4 season cabin to a shed located near East Coulee on Plan RW334; Block OT.

Second: S. Gallagher – Vote in Favor - 0 Opposed - 4.

Motion Defeated.

REASON FOR DENIAL

The Municipal Planning Commission denied the application for change of use for the following reason(s):

The development permit application T00010-19D submitted on Jan 23, 2019 is considered incomplete by the Municipal Planning Commission. The following items are required to be provided to the Town of Drumheller within 30 days of this notice or your application will otherwise be considered refused:

1. Site Plan for the entire property showing all existing buildings and their usage
2. Pictures of any existing buildings on the site
3. Owner Authorization from all registered owners on title.

3.3 T00012-19D – Red Deer River Adventures – Mobile Vender

T. Breese presented Development Permit T00012-19D submitted by Red Deer River Adventures for Mobile Vender located in multiple locations, Drumheller. Zoning is CS – Community Service District.

T. Breese advised Red Deer River Adventures is applying for a mobile vender permit similar to last year with the proposed locations being;

- 980 2 Avenue West
- Hoodoos
- Suspension bridge
- Outdoor skating rinks within Town of Drumheller
- Splash Park

This is the third year Red Deer River Adventures has been operating within the Town of Drumheller offering services for locals and tourists.

The base of their operations is located in Newcastle Recreational Area, here they have approval to place the 2 sea-cans for storage. As noted this is now a year round application as they can now supply outdoor gear to customers.

Advertising was done in the local paper. To date no responses have been received.

Municipal Planning Commission discussed the application.



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Motion: S. Rymal moved to approve Development Permit T00012-19D submitted by Red Deer River Adventures for year round Mobile Vender located in multiple locations, Drumheller, subject to the following conditions;

1. Vendor shall provide the Development Officer with a current Alberta Health Services Food Handling Permit.
2. A Mobile Vendor Permit/ Business License and all other required permits and licenses must be clearly visible at the Mobile Vending Unit at all times.
3. Vendor shall carry on Business daily within the hours approved on the Mobile Vending Permit.
4. Vendor shall operate their business within the permitted area(s) approved by the Development Authority, as indicated on the approved Mobile Vendor Permit.
5. Vendor shall not impede traffic and/or pedestrians, endanger public safety or cause and unwelcome disturbance.
6. Vendor shall conform to Town of Drumheller Land Use Bylaw 10-08.
7. Vendor shall conform to the Town of Drumheller Community Standards Bylaw 16-10.
8. Vendor shall conform to the Town of Drumheller Mobile Vendor Bylaw 01-18.
9. Advertising or signage for a Vendor is limited to the space available on the Mobile Vending Unit at the location(s) as indicated on the approved Mobile Vendor Permit. One (1) A-Board Sign that complies with the requirements in the Town of Drumheller Land Use Bylaw 10-08 will be allowable at the discretion of the Municipal Planning Commission. Any other signage will require an additional Development permit.
10. Vendor shall provide garbage and recycling receptacles at the Mobile Vending Unit. Each night the garbage and receptacles are to be emptied and the site around the Unit is to be cleaned up.
11. Vendor shall not discard water from the daily activities, on the Unit site; it shall be discarded in the appropriate manner.
12. The Development Authority may suspend or revoke a permit issued under the Mobile Vendor Bylaw 01-18 should the holder of the permit, employee, agent or representative fail to comply with the provision
13. All applicable safety codes permits.

Second: T. Zariski – Carried

3.4 T00012-19D – Applicant – Accessory Building with side yard variance

T. Breese presented Development Permit T0012-19D submitted by the Applicant for an accessory building with side yard variance located at 32 Hunts Crescent, Drumheller on Plan 7410338; Block 3; Lot 4. Zoning is R-1 – Residential District.

S. Gallagher recused herself from this application.

T. Breese advised this applicant is applying for an accessory building with a variance from 5 feet to 3 feet on the side yard setback requirements. This is a reverse pie shaped lot with limited space to place the building without creating more set back issues. The lot coverage meets requirements for the district.

Advertising was done in the local paper. To date no responses have been received.

Municipal Planning Commission discussed the application.

Motion: T. Zariski moved to approve Development Permit T0012-19D submitted by the Applicant for an accessory building with side yard variance from 5 feet to 3 feet, located at 32 Hunts Crescent, Drumheller on Plan 7410338; Block 3; Lot 4 subject to the following conditions;



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1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. Development shall be built substantially in accordance with the submitted site plan with a minimum Rear Yard setback of 1m (3.2 ft). If there are any changes to the site plan, such changes shall first be submitted to the Development Authority for approval.
4. Height of accessory building as per plans submitted and not to exceed 4.57 m (15 ft.).
5. Construction to be in accordance with the Alberta Building Code.
6. All necessary permits (building, electrical, gas, etc) to be in place prior to construction/installations.
7. All local improvements at owner's expense including, however not limited to, driveways, frontage charges, water/sewer services. (Call 823.1330 for the regulations).
8. Exterior finished appearance of the proposed construction to be compatible with that of existing development and to the satisfaction of the Development Authority.
9. If the holder of the permit wishes to make any changes in the proposed development from application as approved, the holder of the permit must first obtain permission of the Development Authority. An additional development permit may be necessary.
10. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
11. Contractor(s) to have a valid Business License with the Town of Drumheller.
12. Contact Alberta One-Call to request that buried utilities be located and marked before you dig; secondary utilities are the property owners responsibility. 1-800-242-3447 Alberta One-Call

Second: S. Ryamal – Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 No Discussion Items

4.2 Comments

J. Lurien would like to commend the development officer on the changes brought to the Municipal Planning Commission.

5.0 OTHER DISCUSSION ITEMS

5.1 Tentative Meeting Calendar

T. Breese created a tentative Municipal Planning Commission meeting Schedule and handed out to each member. Next meeting March 14, 2019 12:00 pm Room 224 Collaboration Room

5.2 Chair persons for MPC

S. Rymal nominated T. Zariski for Chair Person

Second - S. Gallagher

T. Zariski let his name stand

T. Zariski is Chair Person

T. Zariski nominated S. Clark

Second - S. Rymal

S. Clark let her name stand

S. Clark is Vice Chair Person



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6.0 Adjournment – Meeting adjourned at 1:58 pm.

Chairperson

Development Officer

Attachments: Agenda

**TOWN OF DRUMHELLER
BYLAW NUMBER 17.18**

BEING A BYLAW FOR THE PURPOSE OF IMPLEMENTING A NON RESIDENTIAL DEVELOPMENT INCENTIVE PROGRAM FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 347 of the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, the Council of the Town of Drumheller deems it expedient to provide for a Bylaw for the purpose of implementing a “Non-Residential Development Incentive Program”.

NOW THEREFORE, be it resolved that the Council of the Town of Drumheller, in the Province of Alberta, duly enacts as follows:

1. This Bylaw may be referred to as the “Non-Residential Development Incentive Program” Bylaw.
2. Minimum Qualifying Criteria and Property Tax Reduction are outlined in Schedule “A” (Policy Statement) attached which forms part of this Bylaw.
3. The tax cancellation applies to the municipal portion of property taxes only.
4. The Bylaw and Schedule A may be amended from time to time by resolution of Town Council.
5. This Bylaw will come into full force and effect on the date of final passing thereof.

READ A FIRST TIME THIS 26th DAY OF November, 2018

READ A SECOND TIME THIS ____ DAY OF _____, 2018.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



DRUMHELLER

COUNCIL POLICY



COUNCIL POLICY #C-04-18 SCHEDULE A TO BYLAW 17.18

NON RESIDENTIAL DEVELOPMENT INCENTIVE PROGRAM

THE PURPOSE OF THIS POLICY IS TO:

The purpose of this policy is to encourage new business development and / or business expansion within the Town of Drumheller.

POLICY STATEMENT

1. The Tax cancellation applies to the municipal portion of property taxes only.
2. Developments must conform to the Land Use Bylaw and all other applicable regulations and permits.
3. Property owners must submit a written letter of application to Council requesting the tax rebate. Letter of applications will be provided with the approved development permits.
3. Subject to Council having to approve the tax cancellation on each affected property or development on a yearly basis, the period of tax cancellation shall be one (1) year for new construction . There will be a maximum ceiling of \$25,000.00 tax cancellation per qualifying new development or new occupancy.
5. Additions, expansions or renovations are only eligible if the assessed value of the new improvement is greater than or equal to \$50,000 more than the previous improvement assessment, not including land assessment.
6. Tax rebate shall be granted for the tax year immediately following completion of construction. The Tax rebate shall be applied to the property tax account prior to tax notices being sent out.
7. All eligible development must be of a permanent nature.
8. Failure by the applicant to comply with any of the regulations herein will result in disqualification of the applicant from the program.
9. Council will not consider any type of residential or land assessment.

10. The property tax cancellation applies only for the new construction or renovations and does not apply to existing assessment on any property.

Date: _____

Chief Administrative Officer

Mayor of Drumheller

TOWN OF DRUMHELLER

BYLAW NUMBER 19.18

BEING A BYLAW FOR THE PURPOSE OF WAIVING FEES FOR NEW BUSINESSES IN EXISTING NON-RESIDENTIAL VACANT BUILDINGS WITHIN THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, provide that a Council may pass bylaws pertaining to the control and regulating of businesses;

NOW THEREFORE, be it resolved that the Council of the Town of Drumheller, in the Province of Alberta, duly enacts as follows:

1. This Bylaw may be referred to as the “New Business in Existing Vacant Non-Residential Building” Bylaw.
2. Minimum Qualifying Criteria is that the building must have been vacant for a minimum of three (3) months.
3. Where any new business occupies a non-residential vacant building, the business owner shall apply in writing to the Town and the waiver of the Business License fee shall be at the discretion of the Chief Administrative Officer, or his delegate.
4. Where any new business occupies a non-residential vacant building, the business owner shall apply in writing to the Town and the waiver of any Development Fees shall be at the discretion of the Chief Administrative Officer, or his delegate.
5. The Bylaw may be amended from time to time by resolution of Town Council.
6. This Bylaw will come into full force and effect on the date of final passing thereof.

READ A FIRST TIME THIS 26th DAY OF November, 2018

READ A SECOND TIME THIS ____ DAY OF _____, 2018.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**TOWN OF DRUMHELLER
BYLAW NUMBER 22.18**

BEING A BYLAW FOR THE PURPOSE OF IMPLEMENTING A NON RESIDENTIAL TAX INCENTIVE PROGRAM FOR OWNERS OF EXISTING NON-RESIDENTIAL VACANT BUILDINGS WITHIN THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 347 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller deems it expedient to provide for a Bylaw for the purpose of implementing a “Non Residential Tax Incentive Program for Owners of Existing Non Residential Vacant Buildings”;

NOW THEREFORE, be it resolved that the Council of the Town of Drumheller, in the Province of Alberta, duly enacts as follows:

1. This Bylaw may be referred to as the “Existing Vacant Non-Residential Building” Bylaw.
2. The non residential building must have been vacant for a minimum of one (1) year.
3. The business must remain active for a minimum of one (1) year. The tax cancellation applies to the municipal portion of property taxes for non-residential assessment only, and will be applied the following tax year.
4. The tax cancellation applies upon proof of startup of a new business.
5. There will be a maximum ceiling of \$5,000.00 tax cancellation per qualifying new business.
6. Business owners must submit a written letter of application to Council requesting the tax rebate.
7. The Bylaw may be amended from time to time by resolution of Town Council.
8. This Bylaw will come into full force and effect on the date of final passing thereof.

READ A FIRST TIME THIS 10th DAY OF December, 2018

READ A SECOND TIME THIS ____ DAY OF _____, 2018.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**TOWN OF DRUMHELLER
MUNICIPAL EMERGENCY MANAGEMENT
BYLAW NUMBER 01.19**

WHEREAS the Council of the Town of Drumheller is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

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

1. This Bylaw may be cited as the "Municipal Emergency Management Bylaw".
2. Definitions

"Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;

"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 Council of the Town of Drumheller

"Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;

"Emergency Management Committee" means the committee established under this Bylaw responsible for the development of municipal emergency programs and plans intended to coordinate prompt action or special regulation of persons or property to protect the safety, health and welfare of the population or to limit damage to property;

"Emergency" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;

"Municipal Emergency Management Agency" means the agency established under this Bylaw; and

"Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.

3. There is hereby established an Emergency Management Committee to advise Council on the development of Emergency plans and programs.
4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a State of Local Emergency, nor the powers contained in Section 12 of this Bylaw.
5. Council shall
 - (a) by resolution, at the annual organizational meeting of Council, appoint the Mayor and two other members of council to serve on the Emergency Management Committee.
 - (b) provide for the payment of expenses of the members of the Emergency Management Committee;
 - (c) by resolution, appoint the Town Manager as the Director of Emergency Management. The Director of Emergency Management shall appoint up to three deputies who shall do those things required of the Director in that person's absence.
 - (d) ensure that Emergency plans and programs are prepared to address potential Emergencies or Disasters in the Town of Drumheller.
 - (e) approve the Town of Drumheller's Emergency plans and programs; and review the status of the Municipal Emergency Plan and related plans and programs at least once each year.
6. Council may
 - (a) by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
 - (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development

or implementation of Emergency plans or programs, including mutual aid plans and programs.

7. The Emergency Management Committee shall
 - (a) review the Municipal Emergency Plan and related plans and programs on a regular basis; and
 - (b) advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
 - (a) the Director of Emergency Management;
 - (b) the Deputy Directors of Emergency Management;
 - (c) other administrative staff member (s) of the Town;
 - (d) the N.C.O in charge, R.C.M Police or designate;
 - (e) the Municipal Fire Chief or designate;
 - (f) the Public Information Officer or designate;
 - (g) the Towns Operations Manager or designate;
 - (h) the Towns Utility Manager of designate;
 - (i) the Towns Technical Services Manager or designate;
 - (j) the Towns Emergency Social Services coordinator or designate;
 - (k) the Alberta Health Service Ambulance Service Coordinator or designate;
 - (l) the field officers from the Alberta Emergency Management agency;
 - (m) the Alberta Health Services – Central Zone CEO or designate;
 - (n) the Drumheller Health Centre Manager or designate;
 - (o) the Golden Hills School Division Board Chairperson, Drumheller Valley Secondary school and Greentree school principals or designate;
 - (p) the Christ the Redeemer School Division Board Chairman and St. Anthony's school principal or designate;
 - (q) representative(s) from Alberta Human Resources & Employment;
 - (r) representative(s) from adjacent communities which have entered into mutual aid agreements;
 - (s) representative(s) from local business or business associations (e.g. Chamber of Commerce, Board of Trade);
 - (t) representative(s) from Alta Gas;
 - (u) representative(s) from TELUS;
 - (v) representative(s) from Alberta Agriculture, Food and Rural Development;
 - (w) representative(s) from Alberta Environmental Protection;
 - (x) representative(s) from Alberta Transportation;
 - (y) representative(s) from the Drumheller Institution;

- (z) representative(s) from the Ministerial Association;
- (aa) representative(s) from ATCO Electric;
- (bb) representative(s) from the Royal Tyrrell museum;
- (cc) anyone who may serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan as Directed by the Director of Emergency Management determines.

9. The Director of Emergency Management shall

- (a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town of Drumheller;
- (b) act as director of Emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
- (c) co-ordinate all Emergency services and other resources used in an Emergency; or
- (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).

10. Council may, at any time when it is satisfied that an Emergency exists or may exist, by resolution, make a declaration of a State of Local Emergency. Such declaration may be completed by the mayor or acting mayor and, in the absence of these, two councilors.

11. When a State of Local Emergency is declared, the person[s] making the declaration shall

- (a) ensure that the declaration identifies the nature of the Emergency and the area of the Town in which it exists;
- (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
- (c) forward a copy of the declaration to the Director of Emergency Management forthwith.

12. Subject to Section 19 of the Act, when a State of Local Emergency is declared and for the duration of the state of Emergency, the Director of Emergency

Management may do all acts and take all necessary proceedings including the following:

- (a) put into operation an Emergency plan or program;
- (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an Emergency or Disaster;
- (c) authorize or require any qualified person to render aid of a type the person is qualified to provide;
- (d) control or prohibit travel to or from any area of the Town;
- (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate Emergency medical, welfare and other essential services in any part of the Town;
- (f) order the evacuation of persons and the removal of livestock and personal property from any area of the Town that is or may be affected by a Disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
- (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an Emergency plan or program;
- (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;
- (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town for the duration of the State of Emergency;
- (j) authorize the conscription of persons needed to meet an Emergency;
- (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a State of Local Emergency.

13. If the Director of Emergency Management acquires or utilizes real or personal property under subsection (12) or if any real or personal property is damaged

or destroyed due to an action of the Director of Emergency Management in preventing, combating or alleviating the effects of an Emergency or Disaster, the Director of Emergency Management shall cause compensation to be paid for it.

14. When a State of Local Emergency is declared,

(a) neither Council nor any member of Council, and

(b) no person appointed by Council to carry out measures relating to Emergencies or Disasters, are liable in respect of damage caused through any action taken under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

15. Notwithstanding Section 14,

(a) Council and any member of Council, and

(b) any person acting under the direction or authorization of Council, is liable for gross negligence in carrying out their duties under this Bylaw.

16. When, in the opinion of the person[s] declaring the State of Local Emergency, an Emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.

17. A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when

(a) a resolution is passed under Section 16;

(b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;

(c) the Lieutenant Governor in Council makes an order for a state of Emergency under the Act, relating to the same area; or

(d) the Director of Emergency Management cancels the State of Local Emergency.

18. When a declaration of a State of Local Emergency has been terminated, the person[s] who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

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

1) The Municipal Emergency Management Bylaw 11-11 is hereby repealed.

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

Read a first time this 18th day of March, 2019

Read a second time this day of , 2019

Read a third time and finally passed this day of , 2019

TOWN OF DRUMHELLER

Mayor

Chief Administrative Officer

**TOWN OF DRUMHELLER
Public Behaviour Bylaw
Bylaw Number 02.19**

Being a Bylaw of the Town of Drumheller in the Province of Alberta for the purposes of respecting the safety, health and welfare of people, and the protection of people and property.

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 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 people, activities and things in, on, or near a public place or place that is open to the public;

AND WHEREAS it is desirable to establish a Bylaw to regulate problematic social behaviours that may have a negative impact on the enjoyment of public spaces within the municipal boundary;

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 “Public Behaviour Bylaw”.
- 1.2 Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 1.3 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.
- 1.4 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.
- 1.5 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.
- 1.6 All of the schedules attached to this Bylaw form a part of this bylaw.

PART 2 – DEFINITIONS

“Bullying” means the harassment of others by the real or threatened infliction of physical violence and attacks, racially or ethnically-based verbal abuse, name calling and gender-based put-downs, written or electronically transmitted, emotional abuse, extortion, stealing of money and possessions.

“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.

“Cannabis” as defined in the Cannabis Act.

“Cannabis Act” means Bill C-45, an Act respecting Cannabis and to amend the controlled Drugs and Substances Act, the Criminal Code and Other Acts’

“Cannabis Consumption” means to “smoke” or “vape” cannabis.

“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.

“Defecate” means to discharge waste matter from the bowels.

“Electronic Smoking Device” means an electronic device used to deliver nicotine, cannabis, tobacco, or other substances to the person inhaling from the device, but not limited to an electronic cigarette, vaporizer, cigar, cigarillo or pipe.

“Fight” means any confrontation involving violent and physical contact between two or more people.

“Loiter” means a person(s) remaining in a place or location for no apparent purposeful activity.

“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.

“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.

“*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.

“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.

“Spit” means to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth and/or nose.

“Smoke or Smoking” means inhaling or exhaling the smoke produced by burning a substance; holding or otherwise having control of any device or thing containing a lit substance.

“Tobacco” means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, but does not include any product for use in nicotine replacement therapy.

“Tobacco Consumption” means to “smoke” or “vape” tobacco.

“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.

“Urinate” means to discharge urine from the body.

“Vape or Vaping” means: inhaling or exhaling the vapor, emissions or aerosol produced from an electronic smoking device; holding or otherwise having control of an electronic device that is producing vapor, emissions or aerosol.

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

PART 3 – PUBLIC OFFENCES

BULLYING

3.01 No Person shall bully any person in any Public Place.

3.02 No Person shall participate in or encourage by verbal or public means in the bullying of any person in any Public Place.

CANNABIS CONSUMPTION

3.03 No Person shall smoke or vape cannabis in a Public Place.

3.04 A person who is entitled to use Cannabis pursuant to the Access to Cannabis for Medical Purposes Regulations SOR/2016-230 is not subject to 3.03 of this bylaw, but must adhere to the Provincial Regulations that govern public consumption.

3.05 A person referred to in 3.04, must, on demand of a Peace Officer, produce documented authorization that allows possession and consumption usage for medicinal purposes.

FIGHTING, ASSEMBLY of PERSONS, and LOITERING

3.06 No Person shall participate in a fight or any physical or verbal confrontation in any Public Place.

3.07 No Person shall be a member of an assembly of three or more persons in any Public Place or any place to which the public is allowed access where a Peace Officer has reasonable grounds to believe the assembly will disturb the peace of the neighborhood, and any such Person shall disperse as requested by a Peace Officer.

3.08 No Person shall loiter and thereby obstruct any other Person in any Public Place.

SPITTING/URINATING/DEFECATE

3.09 No Person shall spit, urinate or defecate in any Public Place.

TOBACCO CONSUMPTION

3.10 No Person shall smoke or vape tobacco in a Public Place or within five (5) meters of an entrance to exit to the Public Place.

PART 4 – POWERS OF PEACE OFFICERS

ISSUANCE OF BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET

4.01 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*.

GENERAL PENALTY PROVISION

4.02 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'.

4.03 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.

4.04 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.

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) Cannabis Bylaw 10.18, 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 18th day of March, 2019

Read a second time this day of February, 2019.

Read a third time this day of February, 2019.

Mayor

Chief Administrative Officer

Schedule A

PUBLIC BEHAVIOUR BYLAW FINES

Bullying	3.01-3.02	\$ 500.00
a) Second and subsequent offences within 1 year		\$ 750.00
Cannabis Consumption	3.03	\$ 100.00
a) Second and subsequent offences within 1 year		\$ 250.00
Fighting in a Public Place	3.06	\$ 250.00
a) Second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Being a member of an assembly and failing to disperse as requested by a Peace Officer	3.07	\$ 250.00
a) Second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Loitering	3.08	\$ 250.00
a) Second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Spit/Urinate/Defecate	3.09	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Tobacco Consumption	3.10	\$ 100.00
b) Second and subsequent offences within 1 year		\$ 250.00

***The fine for the first offence may be waived if the offender successfully completes and anti-bullying educational program approved by an accredited agency.

*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
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 1st 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 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 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 19th of February, 2019

Read a second time this day of , 2019.

Read a third time this day of , 2019.

Mayor

Chief Administrative Officer

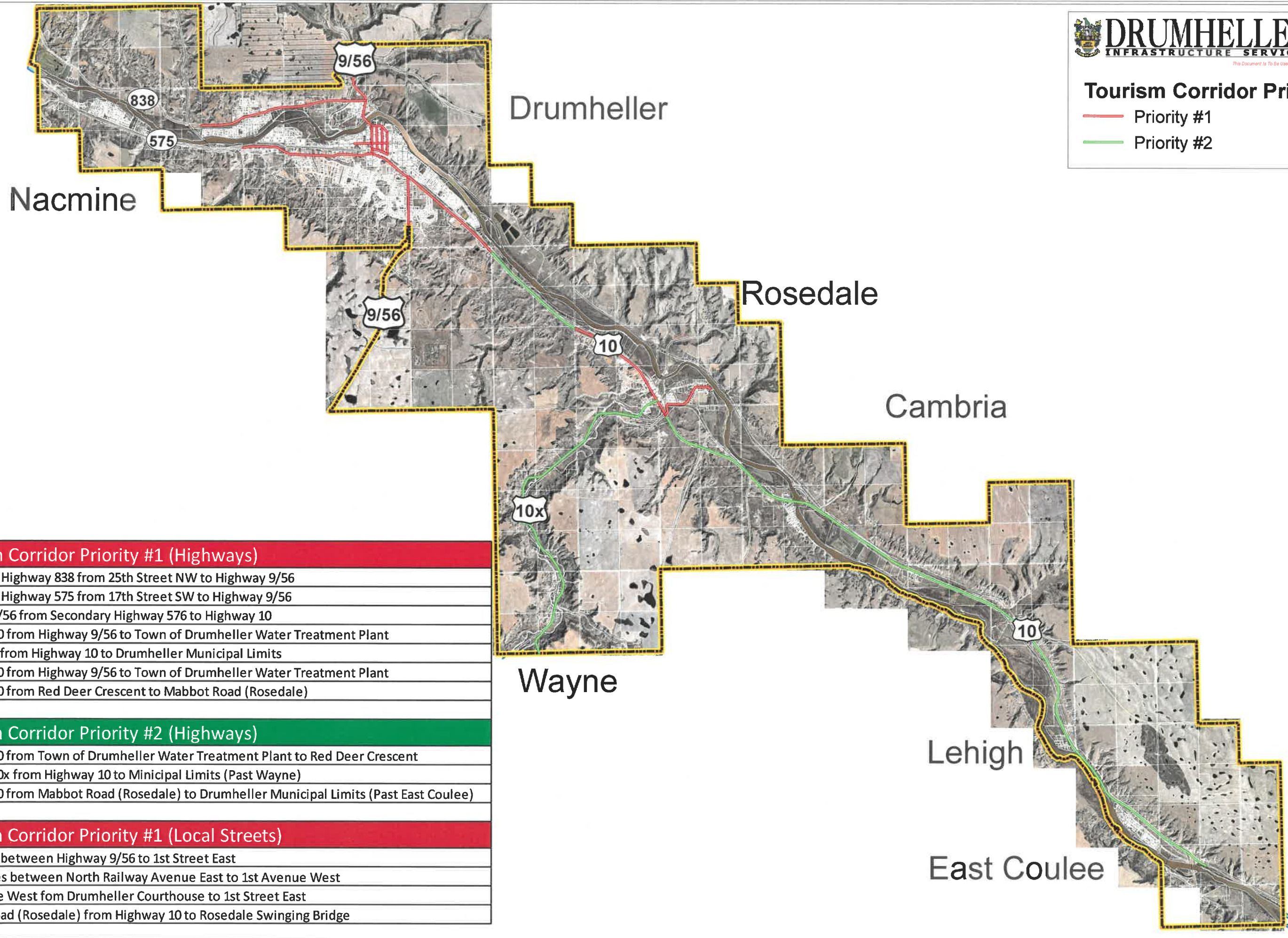
**Schedule A
Tourism Corridor Priority Area 1 and Priority Area 2**

Schedule B**TOURISM CORRIDOR BYLAW FINES**

Unightly Premises / Accumulation of Building Material	
Derelict Equipment Infractions	\$250.00
a) second offence	\$500.00
b) third and subsequent offences	\$750.00
Waste Collection Infraction	\$250.00
a) second offence	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Failure to Maintain Grass, Trees and Weeds	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Failure to Maintain Buildings and Fences	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Failure to Remove Graffiti	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Signage Infractions	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Littering Infractions	\$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 Red Deer Crescent to Mabbot Road (Rosedale)

Tourism Corridor Priority #2 (Highways)

- Highway 10 from Town of Drumheller Water Treatment Plant to Red Deer Crescent
- Highway 10x from Highway 10 to Municipal Limits (Past Wayne)
- Highway 10 from Mabbot 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
- Mabbot Road (Rosedale) from Highway 10 to Rosedale Swinging Bridge

**TOWN OF DRUMHELLER
BYLAW 05.19**

BEING A BYLAW TO AUTHORIZE THE SUPPLEMENTARY ASSESSMENT FOR IMPROVEMENTS WITHIN THE TOWN OF DRUMHELLER FOR THE PURPOSE OF IMPOSING A TAX UNDER PART 10 OF THE MUNICIPAL GOVERNMENT ACT FOR THE 2019 TAX YEAR.

**THE COUNCIL OF THE TOWN OF DRUMHELLER, DULY ASSEMBLED
ENACTS AS FOLLOWS:**

1. In this Bylaw unless the context otherwise requires:
 - (a) "Act" means the Municipal Government Act;
 - (b) "assessor" means the assessor for the Town of Drumheller;
 - (c) "improvement" means:
 - (i) a structure,
 - (ii) any thing attached or secured to a structure, that would be transferred without special mention by a transfer or sale of the structure,
 - (iii) a designated manufactured home, and
 - (iv) machinery and equipment;
 - (d) "linear property" and other words and phrases defined in the Act have the meanings provided in the Act.
 - (e) "Town" means the Town of Drumheller;
2.
 - (a) The assessor is authorized to prepare the supplementary assessments contemplated in Part 9 Division 4 of the Act for the purpose of imposing a tax under Part 10 of the Act for the 2019 tax year.
 - (b) The improvement tax contemplated in Section 2(a) shall be imposed on all improvements.
 - (c) The assessor shall not prepare supplementary assessments for linear property.
3.
 - (a) The assessor shall prepare supplementary assessments for machinery and equipment used in manufacturing and processing if those improvements are completed or begin to operate in the year in which they are to be taxed under Part 10 of the Act.

- (b) The assessor shall prepare supplementary assessments for other improvements if:
 - (i) they are completed in the year in which they are to be taxed under Part 10 of the Act;
 - (ii) they are occupied during all or any part of the year in which they are to be taxed under Part 10 of the Act; or
 - (iii) they are moved into the Town during the year in which they are to be taxed under Part 10 of the Act and they will not be taxed in that year by another municipality.

 - (c) A supplementary assessment shall reflect:
 - (i) the value of an improvement that has not been previously assessed; or
 - (ii) the increase in value of an improvement since it was last assessed.

 - (d) Supplementary assessments shall be prepared in the same manner as assessments are prepared under Division 1 of Part 9 of the Act, but must be pro-rated to reflect only the number of months during which the improvement is complete, occupied, located in the municipality or in operation, including the whole of the first month in which the improvement was completed, was occupied, was moved into the municipality or began to operate.
4. Before the end of the year in which supplementary assessments are prepared, the municipality shall prepare a supplementary assessment roll in accordance with section 315 of the Act.
5. Before the end of the year in which supplementary assessments are prepared, the municipality shall:
- (a) prepare a supplementary assessment notice for every assessed improvement shown on the supplementary assessment roll; and
 - (b) send the supplementary assessment notices to the assessed persons
- in accordance with section 316 of the Act.

AGENDA ITEM #6.1.8.

- 6. Town of Drumheller Bylaw No 02.18 is hereby repealed.
- 7. This Bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME ON THE 18th day of March, 2019.

READ A SECOND TIME ON THE ____ day of April, 2019.

READ A THIRD AND FINAL TIME ON THE ____ day of April, 2019

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**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.

“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 or 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. 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 18th day of March, 2019.

Read a second time this day of , 2019.

Read a third time this day of , 2019.

Mayor

Chief Administrative Officer

Schedule A

COMMUNITY STANDARDS BYLAW FINES

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

Accessory Building or fence safety hazard	3.21	\$ 300.00
Accessory Building or fence unsightly	3.22	\$ 300.00
Dilapidated / Damaged Building	3.23	\$ 300.00
Signage Infraction	3.24	\$ 250.00
Prohibited or Non-Compliant Fire	3.25	\$ 500.00
Unsupervised Fire	3.26	\$ 500.00
Burn Prohibited Materials	3.27	\$ 500.00
Placing Graffiti on Premises	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
Hazardous excavation, drain, ditch or depression	3.30	\$ 300.00
Improper address or failure to address the front of Premises facing street	3.32	\$ 300.00
Improper address or failure to address the rear of Premises adjacent to lane	3.33	\$ 300.00
Depositing litter on Public Place	3.34	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Prohibited Noise	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
Failure to Comply with a Notice or an Order	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 07.19

BEING A BYLAW OF THE TOWN OF DRUMHELLER TO PROVIDE FOR THE IMPOSITION OF PENALTIES ON UNPAID TAXES.

PURSUANT to Sections 344 (1) and 345 (1) of the Municipal Government Act, being Chapter M-26, R.S.A, February 1, 2019, as amended, Council for the Town of Drumheller, duly assembled, enacts as follows:

1. Taxes shall be paid on or before August 31st in the year in which they are levied.
2. Taxes not paid by August 31st in any year in which they are levied shall have a penalty of 5% imposed on them on September 1st in the year in which they are levied.
3. Tax payments made online, via telephone banking or through a banking institution will be deemed to have been received by the municipality on the bank transaction date.
4. Any penalties imposed on September 1st on current year taxes due to the hospitalization of a property owner during the last ten (10) days of August will be waived if the owner provides evidence of hospitalization to the Town within sixty (60) days.
5. Any penalties imposed on September 1st on current year taxes due to the death of a property owner during the month of August will be waived if the executor provides a valid death certificate to the Town within sixty (60) days of hospitalization.
6. Taxes not paid by October 31st in the year in which they are levied shall have a penalty of 5% imposed on them on November 1st in the year in which they are levied.
7. To any and all taxes remaining unpaid after the 31st day of December in any year, a penalty of three quarters of one percent (0.75%) calculated on the amount of unpaid taxes thereon shall be added on the 1st day of January of the next year and on the first day of each month thereafter.
8. Where supplementary taxes have been levied, any supplementary taxes remaining unpaid after March 31st of the following year shall be subject to a penalty of three quarters of one percent (0.75%) on the 1st day of April in the same year, and on the first day of each month thereafter.
9. That this bylaw comes in to effect for the 2019 taxation year.

10. That Town of Drumheller Bylaw 03.02 be repealed.

Read a first time this 18th day of March 2019.

Read a second time this _____ day of _____ 2019.

Read a third time and finally passed this _____ day of _____ 2019.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



DRUMHELLER

COUNCIL POLICY



COUNCIL POLICY #C-01-19

SAFETY POLICY

THE PURPOSE OF THIS POLICY IS TO:

The Town of Drumheller is committed to the protection of all its employees, contractors, visitors, patrons, volunteers, and physical assets from accidental loss, damage, or injury.

In fulfilling this commitment to protect both people and property, management will provide and maintain a safe and healthful work environment committed to promoting the physical, psychological and social well being of all employees and contractors.

The Policy is in compliance with legislative requirements, and will strive to eliminate any foreseeable hazards which may result in property damage, accidents or personal injury / illness.

POLICY STATEMENT:

Employees and contractors will be responsible for minimizing accidents within our facilities and on municipal property. Employees, contractors and visitors will follow safe work practices and procedures.

Safety is the direct responsibility of all managers, supervisors, employees and contractors.

All work will comply with federal, provincial and municipal safety requirements. Employees and contractors will be familiar with the Occupational Health and Safety Act and Regulations.

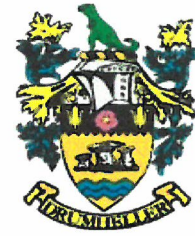
This policy does not take precedence over the Alberta Occupational Health and Safety Act and Regulations.

Date: _____

Chief Administrative Officer

Mayor of Drumheller

**Town of Drumheller
REQUEST FOR DECISION**



TITLE:	APPOINTMENT TO THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE
DATE:	February 28, 2019
PRESENTED BY:	Darryl E. Drohomerski, C.E.T.
ATTACHMENT:	

SUMMARY

Resulting from the recent resignation of Mike Todor on the Economic Development Advisory Committee, one vacancy exists. The Town received an application from Tony Ibrahim to serve on the EDAC.

RECOMMENDATION:

That Council approve the appointment of Tony Ibrahim for a three year term.

STRATEGIC POLICY ALIGNMENT:

Volunteering for Town of Drumheller Boards and Committees is an important way to ensure that Town business operates in an open and transparent way, as identified in the Municipal Sustainability Plan.

MOTION:

That Council approve the appointment of Tony Ibrahim to the Economic Development Advisory Committee for a three year term expiring at Council's 2021 Organizational Meeting.

Prepared By: Linda Handy
Senior Administrative Assistant


Approved By: Darryl Drohomerski
Chief Administrative Officer



DRUMHELLER

CHIEF ADMINISTRATIVE OFFICER



**APPLICATION TO SERVE ON
TOWN PUBLIC SERVICE BOARDS**

Date 2/28/2019

Board applied for Economic Dev

Name of Applicant Tony Ibrahim

Full Address _____ Postal Code t0j0y6

Length of Residency in Town 5 yrs

Phone (403) _____ E-mail Address tony.pizzahut@gmail.com

Past Service on Similar Boards I was on the Travel Drumheller board in it's growing year 205/16

I was also one of the leads on the Economic Task Force Business Evaluation/Drumheller Advantage Group

BRIEF PERSONAL HISTORY (include information which you feel would assist Council in making a decision as to your capabilities to serve on this Board)

Moving to Drumheller in 2014 to start a business was a very good
move for myself and family. We choose Drumheller as our
place of business and home after recognizing the various
opportunities to grow together with the town. I want to help make drumheller a great place to live and work

tony ibrahim Digitally signed by tony ibrahim
 Date: 2019.02.28 10:38:21 -05'00'

Signature of Applicant

Return Email Address: lhandy@dinosaurvalley.com

Personal Information is being collected for the purpose of appointing individuals to Town public service boards pursuant to the provisions of the Municipal Government Act and its regulations, and pursuant to Section 34(2) of the Freedom of Information and Protection of Privacy Act. If you have any questions about the collection of your personal information, you may contact the F.O.I.P. Coordinator at (403)823-1339.

Town of Drumheller
224 Centre Street
Drumheller, AB T0J 0Y4

www.dinosaurvalley.com

Telephone: (403) 823-1339
Fax: (403) 823-8006

**Town of Drumheller
REQUEST FOR DECISION**



TITLE:	HERITAGE, ARTS AND CULTURE COMMITTEE APPOINTMENT
DATE:	February 27, 2019
PRESENTED BY:	Darryl Drohomerski
ATTACHMENT:	

SUMMARY

The Town of Drumheller is seeking public at large members to sit on the Heritage, Arts and Culture Steering Committee. One application has come forward from Riddel Wiebe. Administration is recommending that Council approve the appointment of Riddel Wiebe. There is no term of appointment assigned to this Committee.

RECOMMENDATION:

Administration recommends the appointment of Riddel Wiebe.

DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):

Volunteering for Town of Drumheller Boards and Committees is an important way to ensure that Town business operates in an open and transparent way, as identified in the Municipal Sustainability Plan. Volunteer appointments are necessary to ensure the success of the Heritage, Arts and Culture Committee.

FINANCIAL IMPACT:

N/A

STRATEGIC POLICY ALIGNMENT:

Good governance.

COMMUNICATION PLAN:

Board appointments are posted on the Town's website.

MOTION:

That Council approve the appointment of Riddel Wiebe to the Heritage, Arts and Culture Committee.

Prepared By: Linda Handy,
Executive Assistant

Approved By: 
Chief Administrative Officer



DRUMHELLER

CHIEF ADMINISTRATIVE OFFICER



APPLICATION TO SERVE ON
TOWN PUBLIC SERVICE BOARDS

Date 2/25/2019

Board applied for Historical arts and culture committee

Name of Applicant Riddel Wiebe

Full Address 500 Postal Code T0J 2V0

Length of Residency in Town 5+ years

Phone (403) E-mail Address Riddel.wiebe@goldenwestradio.com

Past Service on Similar Boards N/A

BRIEF PERSONAL HISTORY (include information which you feel would assist Council in making a decision as to your capabilities to serve on this Board)

A Huge Fan of our local History and Heritage, I enjoy
preserving our towns history to the Best of my ability

Riddel Wiebe
Signature of Applicant

Return Email Address: lhandy@dinosaurvalley.com

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