

**CITY OF COLD LAKE
BYLAW 816-PL-23
COMMUNITY STANDARDS BYLAW**

**A BYLAW OF THE CITY OF COLD LAKE, IN THE PROVINCE OF ALBERTA, FOR THE
PURPOSE OF REGULATING COMMUNITY STANDARDS WITHIN THE CITY**

WHEREAS the *Municipal Government Act, RSA 2000, Chapter M-26* authorizes a council to pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; nuisances, including unsightly property; and the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein;

AND WHEREAS Council believes the regulation of nuisances and unsightly property through a Community Standards Bylaw would benefit the community as a whole;

AND WHEREAS, pursuant to Section 66 (2) of the *Safety Codes Act of Alberta*, a Council may make bylaws respecting the following matters;

- Minimum maintenance standards for buildings and structures; and
- Unsightly or derelict buildings and structures;

AND WHEREAS Section 63(2)(a) of *Municipal Government Act, RSA 2000, c. M-26* provides that Council may omit and provide for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective, and by Section 191(1) of the *Municipal Government Act* empowers the Council to pass or repeal the bylaw;

NOW THEREFORE by the Council of the City of Cold Lake in the Province of Alberta, in Council duly assembled hereby enacts as follows:

SECTION 1 - TITLE

1. This Bylaw shall be cited as the "Community Standards Bylaw".

SECTION 2 - DEFINITIONS

2. In this bylaw:
 - 2.1. "Ashes" means the residue and cinders from the combustion of any substance.
 - 2.2. "Boulevard" means that part of a Highway that:
 - 2.2.1. is not a roadway, and
 - 2.2.2. is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
 - 2.3. "CAO" means the Chief Administrative Officer of the City of Cold Lake.
 - 2.4. "City" means the municipal corporation of the City of Cold Lake, or the geographical area falling within the corporate limits of the City of Cold Lake, as the context requires.
 - 2.5. "Commercial Area" means any Commercial Land Use District defined as such under the City's Land Use Bylaw 766-LU-23 as amended from time to time.
 - 2.6. "Commercial Lane" means any lane within a Commercial Area.
 - 2.7. "Council" means the Council of the City of Cold Lake.
 - 2.8. "Derelict Vehicle" means any disassembled, wrecked, unlicensed or unregistered, or inoperable motor vehicle, and includes but is not limited to, cars and trucks, trailers, boats, recreational vehicles, off highway vehicles, motorcycles, aircraft, and any other similar type of vehicle.

- 2.9. "Driveway" means an area that provides vehicle access from a public or private roadway to a garage or parking area located on privately owned property.
- 2.10. "Fire" includes any combustion whether or not flame is present or visible;
- 2.11. "Fireworks" includes consumer firework which are designed for recreation use and are classified as low-hazard fireworks within the Explosives Act, R.S.C., 1985, c.E-17, but does not include sparklers; display fireworks that are designed for professional use and are classified as high-hazard within the Explosives Act; and pyrotechnics which has the same meaning special effects pyrotechnics in the Explosives Act.
- 2.12. "Fire Ban" means a period of time as designated by the CAO or CAO designate when, due to extremely dry or other unsafe environmental conditions, outdoor fires are prohibited;
- 2.13. "Fire Pit" means a structure used for recreational fires that complies with Section 10.4; and
- 2.14. "Fireplace" means a structure used for recreational fires that complies with Section 10.3.
- 2.15. "Garbage" means any discarded, rejected, or broken materials and includes but is not limited to, rubbish, refuse, papers, packages, containers, bottles, cans, human excrement and sewage, petroleum products, hazardous materials, boxes, cartons, fabrics, household goods, mattresses, furniture, electronics, and any other similar materials.
- 2.16. "Graffiti" means one or more letters, symbols or marks, howsoever made, on any structure or thing but does not include marks made accidentally or any of the following:
- 2.16.1. a sign, public notice, or traffic control mark authorized by the CAO or their designate;
- 2.16.2. a sign authorized under the provisions of the City's Land Use Bylaw as amended from time to time;
- 2.16.3. a public notice authorized by a City bylaw, or by Provincial or Federal legislation;
- 2.16.4. in the case of private property, a letter, symbol or mark for which the owner or tenant of the property on which the letter, symbol or mark appears has given written authorization, excepting: symbols, words or marks that may be interpreted as constituting or promoting hate speech, discrimination or racism;
- 2.17. "Highway" means the same as defined in the *Traffic Safety Act Revised Statutes of Alberta 2000 Chapter T-6* and its amendments and regulations, and includes a parking lot to which the public normally is permitted access.
- 2.18. "Motor Vehicle" means the same as defined in the *Traffic Safety Act Revised Statutes of Alberta 2000 Chapter T-6* and its amendments and regulations.
- 2.19. "Lane" means a right-of-way, which provides a secondary means of access to a lot.
- 2.20. "Loiter" means to stand idly around, hand around, linger, tarry, saunter, delay, or dawdle with no apparent purpose.

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- 2.21. "Noxious Weed" means the plants designated as noxious weeds in accordance with the Weed Control Act, SA 2008, c W-5,1 and its regulations as may be amended from time to time;
- 2.22. "Officer" means a Peace Officer, a Bylaw Officer, a member of the RCMP, Chief Administrative Officer or any other person appointed by the CAO to act on behalf of the City to enforce this Bylaw.
- 2.23. "Owner" means the property owner of the lands in question, and can include:
- 2.23.1. A person or corporation registered as the owner on the City's tax roll,
- 2.23.2. A person or corporation registered as the owner under the Land Titles Act, or
- 2.23.3. A person or corporation in lawful possession of the lands, including a tenant.
- 2.24. "Panhandle" or "Panhandling" means a request or solicitation made verbally or otherwise for the gratuitous provision of money or goods from another person.
- 2.25. "Panhandling Aggressively" without limiting the generality of the phrase, refers to a person that is Panhandling in an aggressive manner. This shall include but not be limited to:
- 2.25.1. Obstructing or impeding the passage of another person;
- 2.25.2. Making continued requests or solicitations after receiving a negative response from another person;
- 2.25.3. Insulting, threatening, coercing, or intimidating another person;
- 2.25.4. Making physical contact with another person; or
- 2.25.5. Being intoxicated or under the influence of alcohol, cannabis or other illegal drugs while panhandling;
- 2.26. "Parking Area" means any portion of a lot that is used for short-term or long-term parking of any type of motor vehicle, recreational vehicle, boat or trailer.
- 2.27. "Peace Officer" means a Community Peace Officer, a Bylaw Enforcement Officer and any person appointed by the CAO of the City of Cold Lake for the purpose of enforcement of this Bylaw, it also includes a member of the RCMP;
- 2.28. "Prohibited Weed" means a plant designated as a prohibited noxious weed in accordance with the Weed Control Act, SA 2008, c W-5,1 and its regulations, as may be amended from time to time;
- 2.29. "Property" means real property and includes land, together with all improvements which have been affixed to the land as to make them in fact and in law a part thereof.
- 2.30. "Public Place" means any place to which the public has access as of a right or by invitation, express or implied, including such places on public or private property including but not limited to:
- 2.30.1. Financial Institutions or any places where cash be withdrawn;
- 2.30.2. Retail establishments and all areas within 10 meters of an entrance or exit to a work place;

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- 2.30.3. Public facilities including recreation centers, parks, sports fields, skate parks, walkways/boardwalks, skating rinks or the beach;
- 2.30.4. Public transportation vehicles, public transportation property and any area within 10 meters of public transportation property;
- 2.30.5. Public buildings and all areas within 10 meters of an entrance or exit to a work place;
- 2.30.6. Public streets, sidewalks, walking trails, and alleyways; and
- 2.30.7. Public washrooms;
- 2.31. "Sidewalk" means the portion of a paved sidewalk, walkway, or pathway that abuts a property, and includes the portion of a driveway or entry way between two portions of sidewalk.
- 2.32. "Violation Tag, Municipal" means a tag or similar document issue by the City pursuant to the *Municipal Government Act* R.S.A. 2000 as amended;
- 2.33. "Violation Ticket, Provincial" has the same meaning as in the *Provincial Offences Act* R.S.A. 2000 as amended;
- 2.34. "Yard" means the area surrounding a private dwelling house or building and includes the front, back, and side yards, as well as the driveway.

SECTION 3 - INTERPRETATION

- 3.1. 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 enforceable.
- 3.2. Nothing in this Bylaw relieves a person from complying with the provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 3.3. Any heading, subheading or tables of content in this Bylaw are included only for convenience, and shall not form part of this bylaw.
- 3.4. Where this Bylaw refers to another Act, bylaw regulation or agency, it includes reference to any Act bylaw, regulation or agency that may be substituted therefor.
- 3.5. All Schedules attached to this bylaw shall form part of this bylaw as if they were integrated directly into the body of the Bylaw.

SECTION 4 - GENERAL AUTHORITY

- 4. The Chief Administrative Officer is hereby delegated the authority to:
 - 4.1. Carry out any inspections to determine compliance with this bylaw;
 - 4.2. Take any steps or carry out any actions required to enforce this bylaw;
 - 4.3. Take any steps or carry out any actions required to remedy any contravention of this bylaw;
 - 4.4. Establish investigation and enforcement procedures with respect to any contravention of this bylaw;
 - 4.5. Establish forms for the purposes of this bylaw;
 - 4.6. Issue permits with such terms and conditions as are deemed appropriate;

- 4.7. Delegate any powers, duties or functions under this bylaw.

SECTION 5 – LAND

- 5.1. No person shall cause or permit to be caused an Unsightly Condition to exist on land that they own or occupy.
- 5.2. For the purpose of greater certainty, an unsightly condition with respect of land means a condition that, in the opinion of a Peace Officer, indicates a serious disregard for general maintenance and upkeep, whether or not the condition is detrimental to the surrounding area, some examples which include but are not limited to the following:
- 5.2.1. the excessive accumulation on the premises of landscaping materials (dirt, soil, gravel, rocks), petroleum products, hazardous materials, broken household chattels or goods, building material;
 - 5.2.2. any Graffiti displayed on the premises, or any item on the premises, that is visible from any surrounding property or public place including but not limited to a fence, vehicle(s), garbage bins, container, or driveway;
 - 5.2.3. any loose litter, garbage or refuse whether located in a storage area, collection area or elsewhere on the land;
 - 5.2.4. storage of an inoperable, damaged, dismantled or derelict vehicle(s), equipment (including household appliances) or parts thereof, whether insured or not;
 - 5.2.5. parking or storage of a vehicle, recreational vehicle, trailer, or boat wholly or partially on the turf, lawn or dirt of the front yard of a property;
 - 5.2.6. storage of household furniture and items including but not limited to couches, loveseats, desks, chairs, lamps, and tables;
 - 5.2.7. excessively damaged or non-structurally sound fence or retaining wall that borders City property;
 - 5.2.8. accumulation of dandelions, Prohibited Weed(s) or Noxious Weed(s) as defined by the Weed Control Act, SA 2008, c W-5.1;
 - 5.2.9. any grass, dandelions, Prohibited Weed(s) or Noxious Weed(s) found to be higher than 15 centimeters as measured from base to stem;
 - 5.2.10. ponding of water in any receptacle so as to create an environment for the breeding of mosquitos;
 - 5.2.11. smelly or messy compost heap or container;
 - 5.2.12. accumulation of animal or human excrement, sewage, and / or the whole or a part of an animal carcass;
 - 5.2.13. any refrigerator, freezer or other similar appliance;
 - 5.2.14. any waste bin that is not:
 - 5.2.14.1. equipped with a lid or cover capable of completely covering the waste bin;
 - 5.2.14.2. kept closed or covered at all times except for the actual loading and unloading of waste; and
 - 5.2.14.3. containing only material that will not emit odour or will not be blown out of the bin.

- 5.2.15. any tree, shrub, other type of vegetation or any structure;
 - 5.2.15.1. that obstructs, interferes or could interfere with any public work or utility;
 - 5.2.15.2. that obstructs a sidewalk, highway, or alleyway adjacent to the land, or
 - 5.2.15.3. impairs the visibility required for safe traffic flow adjacent to the land, including but not limited to obstructing a traffic control device such as a stop sign, yield sign, street sign, traffic light or similar device.

5.3. Section 5 shall not be construed as to prevent the accumulation or storage of materials that would normally be associated with the operation of a business (operating in accordance with the Land Use Bylaw), such as a recycling depot, landfill, auto wrecker, junk yard, or any other similar business where a need exists and the appropriate permits have been issued.

5.4. For greater clarity, section 5 applies to both land that is developed and land that is vacant.

SECTION 6 - BUILDINGS

6.1. A person shall not cause or permit to be caused a nuisance to exist in respect of any building on property they own or occupy.

6.2. For the purposes of greater clarity, a nuisance in respect of a building means a condition that, in the opinion of a Peace Officer, indicates a serious disregard for general maintenance and upkeep, whether or not the condition is detrimental to the surrounding area, some examples of which include, but are not limited to the following:

- 6.2.1. any damage to a building;
- 6.2.2. any graffiti displayed on the building that is visible from any surrounding property or public place;
- 6.2.3. any excessive rot or other deterioration within the building, and
- 6.2.4. any peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the building; and
- 6.2.5. snow or ice accumulation on the structure's roof, eaves or awnings such that may cause a danger to the public.

SECTION 7 - UNOCCUPIED BUILDINGS

7.1. A person shall ensure any unoccupied building(s) is adequately secured in a manner which prevents unauthorized access.

7.2. For the purpose of greater clarity, adequately secured in respect of an unoccupied building means that, in the opinion of a Peace Officer, that any and all door and window openings, and any other openings in the building are securely closed with a solid piece of wood or other suitable material that must be:

- 7.2.1. installed from the exterior and fitted within the frame of the opening in a watertight manner;
- 7.2.2. of a thickness sufficient to prevent unauthorized entry into the building;

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7.2.3. Affixed in a manner sufficient to prevent unauthorized entry into the building;

7.2.4. coated with an opaque protective finish that matches or complements the existing exterior finish in a manner that is not detrimental to the surrounding area.

SECTION 8 – SNOW AND ICE REMOVAL

8.1. A person who owns or occupies land shall not permit snow or ice to remain for more than 48 hours on any public Sidewalk adjoining or adjacent to the land the person owns or occupies. For greater certainty, it shall be the responsibility of the land owner or occupant to remove all snow or ice present on a public Sidewalk adjoining or adjacent to their land no later than 48 hours after such snow or ice accumulates on the Sidewalk.

8.2. No person shall remove snow or ice from any Sidewalk or Property by causing such material to be placed

8.2.1. upon City Property including but not limited to any drainage ditch, culvert end, catch basin, road or any highway other than the Boulevard adjacent to the land the person owns or occupies;

8.2.2. on any fire hydrant or on the area adjacent to a fire hydrant which in any way blocks access to, or prevents operation of or restricts visibility of the hydrant; or

8.2.3. on any other person's Property without their consent.

8.3. Notwithstanding section 8.2, where any portion of a building abuts a public Sidewalk, a person may clear snow or ice onto the Roadway, but only in a manner so as to avoid causing a dangerous roadway condition or obstruction.

8.4. If a person

8.4.1. fails to remove the snow or ice from a public Sidewalk as required in section 8.1; or

8.4.2. permits or causes the snow or ice to be placed upon City Property, or on or adjacent to a fire hydrant, in contravention of section 8.2;

the City may cause the removal of that snow or ice without prior notice to the land owner or occupant. Any cost incurred by the City caused by the removal of snow or ice may be added to the tax roll of the adjacent property responsible for the removal of such snow or ice, or for placing such snow or ice upon City property or on or adjacent to a fire hydrant.

8.5. For greater clarity, where snow or ice has not been removed from a public Sidewalk as required by Section 8.1, the City may conduct remedial action to remove the accumulated snow or ice, and:

8.5.1. Notice to the adjacent property owner or occupant is not required prior to the City conducting remedial action;

8.5.2. Costs incurred for remedial action will be billed to the adjacent property owner or occupant;

8.5.3. If payment of the invoice is not received within thirty (30) days of issuance, the costs will be added to the adjacent property's tax roll.

8.6. All costs associated with the disposal of snow from private property will be the responsibility of the property owner or occupant.

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SECTION 9 - GRAFFITI

- 9.1. No person shall place Graffiti, or cause Graffiti to be placed, on any public or private property including any wall, fence, building, driveway or other structure or thing
 - 9.1.1. in any street, lane or other public place;
 - 9.1.2. on private property adjacent to a street or other public place.
- 9.2. No owner or occupant of property shall allow graffiti to exist on any building or other structure located on property and adjacent to a street or other public place, for more than fourteen (14) days of it being placed.

SECTION 10 - OUTDOOR FIRES AND FIRE PITS

- 10.1. A person shall not cause or permit an outdoor fire on land they own or occupy, unless permitted by Section 10.2 of this Bylaw.
- 10.2. A person may cause or permit an outdoor fire on land they own or occupy in accordance with the following:
 - 10.2.1. cooking food using an appliance designed and intended for that purpose and fuelled only by liquid petroleum gas, natural gas, dry, preservative free wood or wood products, or charcoal;
 - 10.2.2. recreational fires fuelled only by dry, preservative free wood or wood products and fully contained within a Fire Pit or Fireplace that comply with the provisions of this Bylaw; or
 - 10.2.3. open burning, other than for recreational purposes, upon complying with the following conditions:
 - 10.2.3.1. filing the written consent of the Owner or occupant of the lands upon which the activity is to take place with the CAO or designate; and
 - 10.2.3.2. obtaining a fire permit in the manner and form prescribed by the CAO or designate.
- 10.3. A Fireplace must:
 - 10.3.1. be located at least three (3) metres from any building, property line, or combustible material;
 - 10.3.2. be constructed entirely from brick, concrete block, heavy gauge metal, or other non-combustible material;
 - 10.3.3. have a base fire burning area that is at least thirty (30) centimetres above the surrounding surface grade;
 - 10.3.4. have a fire burning area that is no more than 1.25 metres wide and between forty (40) centimetres and sixty (60) centimetres deep;
 - 10.3.5. have a chimney that
 - 10.3.5.1. extends at least 2.5 metres above the base fire burning area; and
 - 10.3.5.2. is covered with a non-combustible mesh screen with openings no greater than 1.25 centimetres across.
 - 10.3.6. not be located over a natural gas line or under an overhead utility line.

- 10.4. A Fire Pit must:
- 10.4.1. be located at least three (3) metres from any building, property line, or combustible material;
 - 10.4.2. be fully enclosed on all sides and constructed entirely from brick, concrete block, heavy gauge metal, or other non-combustible material;
 - 10.4.3. not have walls which exceed 0.6 meters in height measured from the floor of the fire pit to the top of the wall excluding any chimney;
 - 10.4.4. have an opening that is:
 - 10.4.4.1. no more than one (1) metre across at the widest point;
 - 10.4.4.2. no more than sixty (60) centimetres above the surrounding surface grade; and
 - 10.4.4.3. not be located over a natural gas line or under an overhead utility line.
 - 10.4.5. have a spark arrestor mesh screen with openings no larger than 1.25 cm of expanded metal (or equivalent non-combustible material) to contain sparks.
- 10.5. Notwithstanding anything in this Section, a person shall not cause or permit an outdoor fire on land they own or occupy:
- 10.5.1. while a fire ban is in effect;
 - 10.5.2. that is reasonably likely to disturb the peace of any other individual.
- 10.6. For greater certainty, in determining if an outdoor fire is reasonably likely to disturb the peace of any other individual, the following criteria may be considered:
- 10.6.1. demonstrated impact of the outdoor fire on health or well-being of others;
 - 10.6.2. proximity of the outdoor fire to adjacent or affected properties;
 - 10.6.3. duration of the outdoor fire;
 - 10.6.4. date and time of the outdoor fire;
 - 10.6.5. nature and intended use of the surrounding area;
 - 10.6.6. weather and ambient conditions, and
 - 10.6.7. excessive smoke.
- 10.7. If a person contravenes Section 10, the CAO or designate may, by written notice, restrict that person from causing or permitting outdoor fires on land they own or occupy, and may direct a person to:
- 10.7.1. limit the duration or frequency of outdoor fires on land they own or occupy;
 - 10.7.2. only cause or permit outdoor fires on land they own or occupy at certain times;
 - 10.7.3. modify or relocate a fire pit or fire place; or
 - 10.7.4. undertake any other action reasonably required to ensure outdoor fires are not reasonably likely disturb the peace of others.

- 10.8. Where a person who owns land contravenes or fails to comply with any provision of this Part, the person is liable for the expenses and costs related to the City extinguishing any related fires on the land established in the Fire Services Bylaw.

SECTION 11 – FIREWORKS

- 11.1. No person shall display, store, or discharge any fireworks within the City without a permit issued by the City of Cold Lake.
- 11.2. Notwithstanding Section 11.1, a person who wishes to engage in discharging of fireworks may do so upon complying with the following conditions:
- 11.2.1. filing the written consent of the Owner or occupant of the lands upon which the activity is to take place with the CAO or designate; and
- 11.2.2. obtaining a fireworks permit in the manner and form prescribed by the CAO or designate.

SECTION 12 – LOITERING IN COMMERCIAL LANES

- 12.1. All lanes within commercial areas shall be closed to the public between the hours of 12:00 a.m. (midnight) and 6:00 a.m.
- 12.2. No person shall loiter, walk through, drive through, be located in or otherwise use a commercial lane during the period of 12:00 a.m. (midnight) to 6:00 a.m., unless such person is:
- 12.2.1. an owner, principal, manager or employee of a business that abuts or accesses the commercial lane;
- 12.2.2. accessing their residence which is abutting a commercial lane;
- 12.2.3. accompanied by a person whose residence is abutting a commercial lane;
- 12.2.4. accessing a property which they own and is abutting a commercial lane;
- 12.2.5. accessing a business or event located on a property abutting a commercial lane;
- 12.2.6. accessing the property or building of an organization which they are volunteering with when that organization's premises are abutting a commercial lane, or when they are conducting work for an organization that requires them to access a commercial lane;
- 12.2.7. attending to an emergency;
- 12.2.8. conducting work for a utility agency which requires access to a commercial lane; or
- 12.2.9. accessing a parking area or lot that abuts a commercial lane in relation to their own vehicular transportation.

SECTION 13 – PANHANDLING AGGRESSIVELY IN A PUBLIC PLACE

- 13.1. No person shall engage in Panhandling Aggressively at any Public Place.

SECTION 14 – ORDER TO COMPLY

- 14.1. If an Officer finds that an owner and / or occupant has contravened any section of this bylaw, the Officer may issue a written Order in accordance with the provisions of the *Municipal Government Act*.

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- 14.2. In accordance with conditions contained in the *Municipal Government Act*, an Officer may enter onto or into any property, within the City for the purposes of enforcing this Bylaw.
- 14.3. Where an owner has failed to comply with an Order, the City may rectify the situation. Any work done by the City or its contractors shall be a debt due or owing to the City, and will be applied to the property's taxes if not paid within thirty (30) days. Included in the costs will be an administration fee equal to the greater of Twenty-five (\$25.00) dollars or ten percent (10%) of the total amount owing.
- 14.4. A person who receives an Order may by written notice to the attention of the CAO, appeal the Order to Council in accordance with the *Municipal Government Act*.
- 14.5. Council shall conduct a hearing within thirty (30) calendar days following receipt date of the written notice of appeal.
- 14.6. Within fourteen (14) days of the hearing, Council shall render its decision in writing to:
 - 14.6.1. Uphold the Order;
 - 14.6.2. Uphold the Order with modifications and/or additions to the requirements of the Order; or
 - 14.6.3. Quash the Order.

SECTION 15 – OFFENCES AND PENALTIES

- 15.1. Any person or corporation that contravenes this Bylaw is guilty of an offence.
- 15.2. When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporate who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- 15.3. 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.
- 15.4. Any person who willfully obstructs an Officer or assaults an Officer in the exercise or performance of their duties related to this Bylaw, with the intent to resist or prevent the lawful arrest or detainment of themselves or another person is guilty of an offence.
- 15.5. A person who is guilty of an offence is liable,
 - 15.5.1. to a fine in an amount not less than that established in Schedule "A", or
 - 15.5.2. upon summary conviction, to a fine not less than that prescribed in Schedule "A" and not exceeding Ten Thousand (\$10,000.00), or to imprisonment for not more than one year, or both.
- 15.6. The penalty for a second offence shall be double the fine amount as indicated in Schedule "A" of this Bylaw. For clarity, if a person is found guilty or makes fine payment for an offence, that person is subject to the fine amount for the second offence if that the same person conducts the same offence at the same location.
- 15.7. The penalty for a third and subsequent offence shall be triple the fine amount as indicated in Schedule "A" of this Bylaw. For clarity, if a person is found guilty or makes fine payment for a second offence, that person is subject to the fine amount

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for the third (and subsequent) offence if that the same person again conducts the offence at the same location.

- 15.8. Payment of a fine constitutes an admission of guilt that may be used to seek the penalty for a second or third and subsequent offence, as applicable.
- 15.9. Where the City incurs costs to remedy a contravention of this Bylaw, an Administrative Fee equal to or greater of twenty-five (\$25.00) dollars or ten percent (10%) of the total amount owing will be charged.

SECTION 16 – CONTINUING OFFENCE

- 16.1. In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by the Bylaw for each such separate offence.

SECTION 17 – MUNICIPAL VIOLATION TAGS AND PROVINCIAL VIOLATION TICKETS

- 17.1. A municipal violation tag or provincial violation ticket may be issued in respect to an offence, and the municipal violation tag or provincial violation ticket must specify the fine amount established by this Bylaw for the offence;
- 17.2. The person receiving the municipal violation tag or provincial violation ticket may pay the fine amount on or before the required date, and this person shall not be prosecuted for the offence;
- 17.3. A provincial violation ticket must be paid before the date specified by the ticket;
- 17.4. A municipal violation tag must be paid within thirty (30) days of the date it was issued; and
- 17.5. If a municipal violation tag has been issued, a person may, prior to the required date, request that a provincial violation ticket be issued in place of a municipal violation tag to allow that person to attend court with respect to the offence.
- 17.6. If a provincial violation ticket is issued in respect to an offence:
 - 17.6.1. The provincial violation ticket may specify the fine amount established by this bylaw for the offence;
 - 17.6.2. The provincial violation ticket may require a person to appear in court without the alternative of making a voluntary payment;
- 17.7. If a provincial violation ticket specifies a fine amount:
 - 17.7.1. a person may make a voluntary payment equal to the fine amount specified on or before the required date, and this person shall not be prosecuted for the offence; or
 - 17.7.2. a person or their agent may appear in court on the required date and elect to enter a plea with respect to the offence.

SECTION 18 – BYLAW REPEAL

- 18.1. Bylaw No. 538-PL-14, Community Standards Bylaw is hereby repealed.
- 18.2. Bylaw No. 696-PL-21, Amendment to 538-PL-14, Community Standards Bylaw is hereby repealed.

CC
SW

- 18.3. Bylaw No. 736-PL-22, Amendment to 538-PL-14, Community Standards Bylaw is hereby repealed.
- 18.4. Bylaw No. 746-PL-22, Amendment to 538-PL-14, Community Standards Bylaw is hereby repealed.
- 18.5. Bylaw No. 761-PL-22, Amendment to 538-PL-14, Community Standards Bylaw is hereby repealed.
- 18.6. Bylaw No. 785-PL-23, Amendment to 538-PL-14, Community Standards Bylaw is hereby repealed.

SECTION 19 – EFFECT

- 19.1 This bylaw shall come into full force and effect immediately upon the date of its final passing.

FIRST READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this 14th day of November, A.D. 2023, on motion by Councillor Mattice.

**CARRIED
UNANIMOUSLY**

SECOND READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this 12th day of December, A.D. 2023, on motion by Councillor Richardson, as amended.

**CARRIED
UNANIMOUSLY**

THIRD AND FINAL READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this 12th day of December, A.D. 2023, on motion by Councillor Lefebvre.

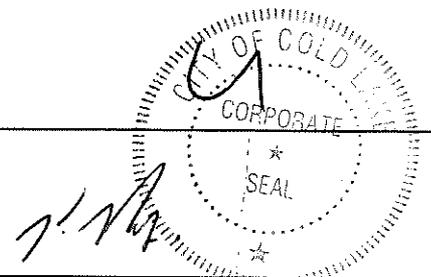
**CARRIED
UNANIMOUSLY**

Executed this 13th day of December, 2023

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICER



**CITY OF COLD LAKE
 BYLAW 816-PL-23
 COMMUNITY STANDARDS BYLAW**

SCHEDULE "A" – MINIMUM SPECIFIED PENALTY FINES*

Section No.	Description	Fine Amount
5.1	Unsightly Condition on Land	\$250
6.1	Unsightly Building Condition	\$250
7.1	Unoccupied Buildings	\$250
8.1	Fail to remove Snow/Ice from sidewalk	\$250
8.3	Placing Snow or Ice on Property	\$250
9.1	Placing Graffiti	\$1,500
9.2	Permitting Graffiti	\$250
10.1	Non-Permitted Outdoor Fire	\$250
10.5	Burning During Fire Ban or Disturb Peace	\$500
11.1	Unauthorized use of Fireworks	\$250
12.2	Loitering in Commercial Lanes	\$250
13.1	Aggressive Panhandling	\$250
15.4	Obstruct Officer	\$500

Second Offence: Double Fine Amount

Third and subsequent offences: Triple Fine Amount

*CC
 JW*