



AGENDA

Bylaw Committee

December 7, 2021 - 3:00 PM

Town Administration Building -
Council Chambers

AGENDA FOR BYLAW COMMITTEE MEETING TO BE HELD ON DECEMBER 7, 2021 AT 3:00 PM IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING, 4938 – 50 AVENUE, RIMBEY, ALBERTA

Page

1. CALL TO ORDER BYLAW COMMITTEE MEETING & RECORD OF ATTENDANCE

2. AGENDA APPROVAL AND ADDITIONS

3. MINUTES

- 3.1 Minutes of the Bylaw Committee Meeting (Date) 3 - 6
[RFD 3.1 Minutes](#)
[RFD 3.1.1 Bylaw Committee Meeting - 10 Jun 2021](#)

4. NEW AND UNFINISHED BUSINESS

- 4.1 [RFD 4.1 Appointment of a Chair Person](#) 7 - 10
4.2 [RFD 4.2 Appointment of a Deputy Chairperson](#) 11 - 14
4.3 [RFD 4.3 Set Bylaw Committee Meeting Dates and Time](#) 15
4.4 [RFD 4.4 Basic Principles of Bylaws](#) 16 - 36
[RFD 4.4.1 Basic Principles of Bylaws Oct 2019](#)
4.5 [RFD 4.5 939 18 Council Procedural Bylaw](#) 37 - 55
[RFD 4.5.1 939 18 Council Procedural Bylaw DRAFT w track changes November 10, 2021](#)
4.6 [RFD 4.6 951 18 Town of Rimbey Traffic Bylaw](#) 56 - 86
[RFD 4.6.1 Attachment 951 18 Town of Rimbey Traffic Bylaw](#)
[RFD 4.6.2 950 18 Nuisance Bylaw](#)

5. ADJOURNMENT

5.1 Adjournment



REQUEST FOR DECISION

Bylaw Committee Agenda Item	3.1
Bylaw Committee Meeting Date	December 07, 2021
Subject	Minutes of June 10, 2021 Bylaw Committee Meeting
For Public Agenda	Public Information
Attachments	Minutes of June 10, 2021 Bylaw Committee Meeting
Recommendations	To accept the Minutes of June 10, 2021 Bylaw Committee Meeting, as presented.

Prepared By:

Bonnie Rybak

Bonnie Rybak
Recording Secretary

November 10, 2021
Date

Endorsed By:

Gayle Rondeel

Gayle Rondeel
Chairperson

November 10, 2021
Date



MINUTES

Bylaw Committee Meeting

Thursday, June 10, 2021 - 4:00 PM
Zoom Conference

1. CALL TO ORDER BYLAW COMMITTEE MEETING & RECORD OF ATTENDANCE

Chairperson Rondeel called the meeting to order at 4:00 PM with the following in attendance:

Chairperson Gayle Rondeel
Councillor Lana Curle
Deputy Chair Janet Carlson
Committee Member Connor Ibbotson
Committee Member Allan Tarleton
Chief Administrative Officer - Lori Hillis
Recording Secretary – Bonnie Rybak

Public: (0) members of the public

2. AGENDA APPROVAL AND ADDITIONS

2.1. June 10, 2021 Special Bylaw Committee Meeting Agenda

Motion 2021BC042

Moved by Committee Member Tarleton to accept the agenda for the June 10, 2021 Special Bylaw Committee Meeting, as presented.

Councillor Rondeel	In Favor
Councillor Curle	In Favor
Deputy Chair Carlson	In Favor
Committee Member Ibbotson	In Favor
Committee Member Tarleton	In Favor

CARRIED

3. MINUTES

3.1. Minutes of June 8, 2021 Special Bylaw Committee Meeting

Motion 2021BC043

Moved by Deputy Chair Carlson to accept the Minutes of the June 8, 2021 Bylaw Committee Meeting, as presented.

Councillor Rondeel	In Favor
Councillor Curle	In Favor
Deputy Chair Carlson	In Favor
Committee Member Ibbotson	In Favor
Committee Member Tarleton	In Favor

CARRIED

4. NEW AND UNFINISHED BUSINESS

4.1. 961/20 Responsible Pet Ownership Bylaw

Motion 2021BC044

Moved by Committee Member Tarleton to accept Bylaw 961/20 Responsible Pet Ownership Bylaw as amended.

Councillor Rondeel	In Favor
Councillor Curle	In Favor
Deputy Chair Carlson	In Favor
Committee Member Ibbotson	In Favor
Committee Member Tarleton	In Favor

CARRIED

Motion 2021BC045

Moved by Committee Member Ibbotson to present the amended Bylaw 961/20 Responsible Pet Ownership Bylaw to Council at the next Council meeting on June 22, 2021 for review.

Councillor Rondeel	In Favor
Councillor Curle	In Favor
Deputy Chair Carlson	In Favor
Committee Member Ibbotson	In Favor
Committee Member Tarleton	In Favor

CARRIED
Bylaw Committee
June 10, 2021

4.2. Bylaw Committee Summer Hours

Motion 2021BC046

Moved by Councillor Curle to suspend the Bylaw Committee Meetings until after the Organizational Meeting of Council in October 2021.

Councillor Rondeel	In Favor
Councillor Curle	In Favor
Deputy Chair Carlson	In Favor
Committee Member Ibbotson	In Favor
Committee Member Tarleton	In Favor

CARRIED

5. **ADJOURNMENT**

Motion 2021BC047

Moved by Committee Member Ibbotson to adjourn the Bylaw Committee Meeting at 4:07 pm.

Councillor Rondeel	In Favor
Councillor Curle	In Favor
Deputy Chair Carlson	In Favor
Committee Member Ibbotson	In Favor
Committee Member Tarleton	In Favor

CARRIED

CHAIRPERSON Gayle Rondeel

CHIEF ADMINISTRATIVE OFFICER Lori Hillis

Bylaw Committee Agenda Item	4.1
Bylaw Committee Meeting Date	December 7, 2021
Subject	Appointment of a Chairperson
For Public Agenda	Public Information
Information	<p>At the Regular Meeting of Council held November 22, 2021 Council approved Bylaw 983/21 Bylaw Committee Bylaw through motions 249/21, 250/21, 251/21, and 252/21. Bylaw 983/21 repealed Bylaw 972/20 Bylaw Committee Bylaw.</p> <p>The bylaw outlines the following:</p> <p><u>SECTION 4 – Composition of the Committee</u></p> <p>3. The Bylaw Committee shall have five (6) members consisting of two (2) Town of Rimbey Councillors, the Chief Administrative Officer, the Executive Assistant and a Member at Large.</p> <p><u>SECTION 5 – Context</u></p> <p>4. The mandate of the Bylaw Committee will be to review previous bylaws of the Town of Rimbey and review new bylaws prior to submission to Council for review and adoption.</p> <p><u>SECTION 6 – Term of Membership</u></p> <p>5. All the members appointed to the Committee will be appointed by the Council of the Town of Rimbey (the “Council”) at the annual Organizational Meeting, with the exception of the inaugural appointment on establishment of the Bylaw Committee, which may be made by resolution upon passing of this bylaw.</p> <p><u>SECTION 7 – Roles and Responsibilities</u></p> <p>6. The Bylaw Committee shall consist of the following:</p> <ul style="list-style-type: none"> a. A Chairperson appointed by the members of the Bylaw Committee; <ul style="list-style-type: none"> ◆ The Chairperson is responsible for developing the meeting agenda, setting the meeting dates, presiding over the meeting, and reporting to Council. b. A Deputy Chairperson as voted by the Bylaw Committee; <ul style="list-style-type: none"> ◆ The Deputy Chairperson is responsible for assuming the

responsibilities of the Chair during times of the Chair's absence or at the discretion of the Chairperson. The Deputy Chair assists with the duties of the Chair.

c. A Recording Secretary – the Executive Assistant;

- ◆ The recording Secretary takes notes at the meeting, prepares meeting notices and prepares the request for decision to go to Council.

7. The Bylaw Committee shall set the date and times of their Bylaw Committee Meetings.
8. All members of the Bylaw Committee shall have equal voting rights within the "Bylaw Committee".
9. Three (3) members of the Bylaw Committee shall constitute a quorum.
10. The Chairperson of the Committee shall be selected by the Bylaw Committee.
11. The Town of Rimbey Council will consider, but will not be bound by any recommendation made by the Bylaw Committee.
12. All Bylaw Committee meetings will be open to the public, for observation only.
13. The Mayor shall be an ex-official member of all Council committees and boards which Council has a right to appoint members under the Municipal Government Act.
14. The Bylaw Committee will submit their Minutes to Rimbey Town Council to be accepted as information.

SECTION 8 – Scope of the Bylaw Committee

15. The Bylaw Committee shall not:
 - a) Have any budgetary responsibilities;
 - b) Receive any honoraria or expense reimbursement unless through resolution of Council;
 - c) Represent Council, nor make decisions for Council;
 - d) Discuss circumstances that "may" require "closed session" discussion.

Council also passed the following motion:

The motion passed to accept the appointments of Mayor and Councillors to the Boards and Committees included the appointment of Councillor Wayne Clark and Gayle Rondeel to the Bylaw Committee Board.

Motion 212/2021

Moved by Councillor Coston to accept the appointments of Mayor and Councillors to the Boards and Committees.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

Motion 214/2021

Moved by Councillor Clark to appoint Janet Carlson and Allan Tarleton to the Bylaw Committee from October 27, 2021 to the next Organizational Meeting in 2022 and to advertise in the Rimbey Review and on the Town website for the vacant position.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

Motion 259/21

Moved by Councillor Rondeel to appoint Jeff Johnstone and Camille McKay as members to the Bylaw Committee from November 22, 2021 to the Organizational Meeting in October, 2022.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	Absent
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED



REQUEST FOR DECISION

The Bylaw Committee is required to nominate and appoint a Chairperson.

Prepared By:

Bonnie Rybak
Recording Secretary

December 2, 2021

Date

Endorsed By:

Lori Hillis, CPA, CA
Chief Administrative Officer

December 2, 2021

Date



Bylaw Committee Agenda Item	4.2
Bylaw Committee Meeting Date	December 7, 2021
Subject	Appointment of a Deputy Chairperson
For Public Agenda	Public Information
Information	<p>At the Regular Meeting of Council held November 22, 2021 Council approved Bylaw 983/21 Bylaw Committee Bylaw through motions 249/21, 250/21, 251/21, and 252/21. Bylaw 983/21 repealed Bylaw 972/20 Bylaw Committee Bylaw.</p> <p>The bylaw outlines the following:</p> <p><u>SECTION 4 – Composition of the Committee</u></p> <p>3. The Bylaw Committee shall have five (6) members consisting of two (2) Town of Rimbey Councillors, the Chief Administrative Officer, the Executive Assistant and a Member at Large.</p> <p><u>SECTION 5 – Context</u></p> <p>4. The mandate of the Bylaw Committee will be to review previous bylaws of the Town of Rimbey and review new bylaws prior to submission to Council for review and adoption.</p> <p><u>SECTION 6 – Term of Membership</u></p> <p>5. All the members appointed to the Committee will be appointed by the Council of the Town of Rimbey (the “Council”) at the annual Organizational Meeting, with the exception of the inaugural appointment on establishment of the Bylaw Committee, which may be made by resolution upon passing of this bylaw.</p> <p><u>SECTION 7 – Roles and Responsibilities</u></p> <p>6. The Bylaw Committee shall consist of the following:</p> <p>a. A Chairperson appointed by the members of the Bylaw Committee;</p> <p>◆ The Chairperson is responsible for developing the meeting agenda, setting the meeting dates, presiding over the meeting, and reporting to Council.</p>

b. A Deputy Chairperson as voted by the Bylaw Committee;

- ◆ The Deputy Chairperson is responsible for assuming the responsibilities of the Chair during times of the Chair's absence or at the discretion of the Chairperson. The Deputy Chair assists with the duties of the Chair.

c. A Recording Secretary – the Executive Assistant;

- ◆ The recording Secretary takes notes at the meeting, prepares meeting notices and prepares the request for decision to go to Council.

7. The Bylaw Committee shall set the date and times of their Bylaw Committee Meetings.

8. All members of the Bylaw Committee shall have equal voting rights within the "Bylaw Committee".

9. Three (3) members of the Bylaw Committee shall constitute a quorum.

10. The Chairperson of the Committee shall be selected by the Bylaw Committee.

11. The Town of Rimbey Council will consider, but will not be bound by any recommendation made by the Bylaw Committee.

12. All Bylaw Committee meetings will be open to the public, for observation only.

13. The Mayor shall be an ex-official member of all Council committees and boards which Council has a right to appoint members under the Municipal Government Act.

14. The Bylaw Committee will submit their Minutes to Rimbey Town Council to be accepted as information.

SECTION 8 – Scope of the Bylaw Committee

15. The Bylaw Committee shall not:

- a) Have any budgetary responsibilities;
- b) Receive any honoraria or expense reimbursement unless through resolution of Council;
- c) Represent Council, nor make decisions for Council;
- d) Discuss circumstances that “may” require “closed session” discussion.

Council also passed the following motion:

The motion passed to accept the appointments of Mayor and Councillors to the Boards and Committees included the appointment of Councillor Wayne Clark and Gayle Rondeel to the Bylaw Committee Board.

Motion 212/2021

Moved by Councillor Coston to accept the appointments of Mayor and Councillors to the Boards and Committees.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

Motion 214/2021

Moved by Councillor Clark to appoint Janet Carlson and Allan Tarleton to the Bylaw Committee from October 27, 2021 to the next Organizational Meeting in 2022 and to advertise in the Rimbey Review and on the Town website for the vacant position.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED



REQUEST FOR DECISION

Motion 259/21

Moved by Councillor Rondeel to appoint Jeff Johnstone and Camille McKay as members to the Bylaw Committee from November 22, 2021 to the Organizational Meeting in October, 2022.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	Absent
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

The Bylaw Committee is required to nominate and appoint a Deputy Chairperson.

Prepared By:

Bonnie Rybak
Recording Secretary

December 2, 2021

Date

Endorsed By:

Lori Hillis, CPA, CA
Chief Administrative Officer

December 2, 2021

Date



REQUEST FOR DECISION

Bylaw Committee Agenda Item	4.3
Bylaw Committee Meeting Date	December 7, 2021
Subject	Set Bylaw Committee Meeting Dates and Time
For Public Agenda	Public Information
Information	<p>983/21 Bylaw Committee Bylaw outlines the following:</p> <p><u>SECTION 7 – Roles and Responsibilities</u></p> <p>2. The Bylaw Committee shall set the date and times of their Bylaw Committee Meetings.</p>

Prepared By:

Bonnie Rybak
Recording Secretary

December 2, 2021
Date

Endorsed By:

Lori Hillis, CPA, CA
Chief Administrative Officer

December 2, 2021
Date



REQUEST FOR DECISION

Bylaw Committee Agenda Item	4.4
Bylaw Committee Meeting Date	December 7, 2021
Subject	Basic Principles of Bylaws
For Public Agenda	Public Information
Information	To discuss the Basic Principles of Bylaws
Attachments	Basic Principles of Bylaws

Prepared By:

Bonnie Rybak

Bonnie Rybak
Recording Secretary

December 2, 2021
Date

Endorsed By:

Gayle Rondeel

Gayle Rondeel
Chairperson

December 2, 2021
Date

Basic

Principles of Bylaws

Municipal Affairs, Government of Alberta
October 2019
Basic Principles of Bylaws
© 2019 Government of Alberta

The contents of this publication are intended to provide general information. Readers should not rely on the contents herein to the exclusion of independent legal advice. All publications of this document prior to October 2019 no longer contain complete information.

Table of Contents

Introduction	1
What is a bylaw	1
Authority	1
Drafting Bylaws	2
Parts of a Bylaw	2
Corporate Title	2
Bylaw Number.....	2
Sub-Title to Describe Purpose	3
Enactment	3
Citation	3
Definitions	3
Statement of to Whom and to What the Bylaw Applies	4
General Rules and Special Provisions	4
Severability Clause	4
Schedule Clauses	5
Penalty Clause.....	5
Transitional Clause	5
Repeal Clause.....	5
Passing a Bylaw	6
Readings	6
Effective Date and Signature	6
Conditions	6
Amending or Repealing Bylaws	7
Revising Bylaws	7
Petition for a Bylaw	8

Petitions for Advertised Bylaws.....	8
Challenging Bylaws.....	9
Security of Bylaws.....	10
<i>Municipal Government Act</i> Sections Requiring Bylaws	11

Introduction

Section 7 of the *Municipal Government Act* (MGA) sets out the general jurisdiction to pass bylaws. This general jurisdiction gives broad authority to councils to develop bylaws unique to each municipality. Councils are expected to act in good faith and in the public interest when creating laws. Municipal administration, who usually drafts bylaws, is expected to act in good faith when carrying out this responsibility. Creating a bylaw that meets general statutory and fundamental principle standards is only part of the process. A good bylaw needs to be drafted for certainty, predictability, democratic transparency and accountability. Municipal administration should aim to create bylaws that are understandable, enforceable and accomplish the council's desired goal. A listing of the sections of the MGA that allow for bylaws to be passed is attached to this document.

This guide provides the basic principles for developing bylaws and is an information summary only and has no legislative sanction. For certainty, refer to the *Municipal Government Act* and the *Interpretation Act*, copies of which are available for purchase from Alberta Queen's Printer Bookstore. It is recommended that municipalities obtain legal advice when developing a bylaw.

What is a bylaw

A bylaw is a law made by a local authority in accordance with the powers conferred by or delegated to it under a statute, in this case the MGA. Council may pass a bylaw to govern the affairs within the council (the procedural bylaw and code of conduct for councillors) and bylaws that govern within the municipality. Common bylaws include vehicle parking and stopping regulations, animal control, licensing, noise, business regulation, and management of public recreation areas.

A municipal by-law is no different than any other law of the land, and can be enforced with penalties, challenged in court and must comply with higher levels of law. Municipal bylaws are often enforceable through the public justice system, and offenders can be charged with a criminal offence for breach of a bylaw.

Authority

Section 180 of the MGA states:

- (1) A council may act only by resolution or bylaw.

- (2) Where a council or municipality is required or authorized under this or any other enactment or bylaw to do something by bylaw, it may only be done by bylaw.
- (3) Where council is required or authorized under this or any other enactment or bylaw to do something by resolution or to do something without specifying that it be done by bylaw or resolution, it may be done by bylaw or resolution.

Section 692 provides special considerations for bylaws pertaining to Part 17 Planning and Development.

Drafting Bylaws

There are 3 types of bylaws: main bylaws; amending bylaws which are used when changes materially affect the bylaw in principle or substance; and revision bylaws which can be used when a municipality needs to make limited types of changes to a bylaw.

Drafting bylaws is usually the responsibility of the Chief Administrative Officer (CAO) or a person delegated that function. There are resources available, such as:

- a) Have your municipal solicitor prepare bylaws.
- b) Contact your municipal association for a sample bylaw if one is available.
- c) Obtain a sample bylaw from a neighboring municipality (do not plagerize!).

Bylaws should be drafted in plain and simple language to ensure that they are easily understood and enforceable. Section 12 of the *Interpretation Act* states that the preamble is part of an enactment to assist in explaining the enactment. However, tables of contents, marginal notes and section headers and statutory citations after the end of a section or schedule are not.

Parts of a Bylaw

Corporate Title

Use the full corporate title of the municipality on the bylaw.

Bylaw Number

It is a best practice to use a logical sequence when numbering bylaws and include the year that the bylaw was written and a consistent and uniform numbering and/or lettering system for sections, subsections, paragraphs, and sub-paragraphs in your bylaws.

Sub-Title to Describe Purpose

Include a brief statement of the bylaw's purpose. A purpose clause is intended to provide a better understanding of the legislative intent of the council and resolve any possible ambiguities in the bylaw.

Example:

WHEREAS, under the provisions of the *Municipal Government Act*, a council may pass bylaws respecting Business, Business activities, and persons engaged in Business, and provide for a system of licensing including any or all of the matters listed therein;

Enactment

The enacting clause of a bylaw may read:

NOW THEREFORE, the Council of the _____ Municipality _____ in the Province of Alberta, enacts as follows:

Citation

It is often necessary to have a short form name for the bylaw, so that it may be referred to in minutes. The citation is suggested to read as follows:

This Bylaw is cited as the _____ Municipality _____ "Business Licence Bylaw".

Definitions

Definitions should be used sparingly. Section 13(a) of the *Interpretation Act* provides that definitions in a bylaw (unless otherwise stated) are applicable to the entire bylaw including the section containing the definitions. Section 13(b) of the *Interpretation Act* provides that definitions in the *Municipal Government Act* are deemed to apply to bylaws made under that Act. Section 28 of the *Interpretation Act* provides that all of the definitions listed in that section apply to every bylaw enacted by a local government even if the words or phrases are not again defined in the bylaw.

Terms that are particular to the bylaw must be defined. A word or phrase should be defined only if:

- a) it is not being used in its dictionary meaning or is being used in one of several dictionary

meanings.

- b) it is used as an abbreviation of a longer word or phrase.
- c) the definition is intended to limit or extend the ordinary meaning of the word or phrase.

The following are examples of possible definitions:

- a) "Select standing committee" means the Select Standing Committee on Legislative Offices;
- b) "Lease" *includes* an agreement for lease (*extends*)
- c) "Dividend" *does not* include a stock dividend (*limits*).

Statement of to Whom and to What the Bylaw Applies

The bylaw must be specific in declaring who or what is affected.

For example, "The bylaw applies to all persons who is a cat owner in the Town of Anywhere."

General Rules and Special Provisions

You may want to set out in the bylaw any special provisions or rules that would be applied. These should be drafted carefully, being well organized, clear and complete. There must be authority in legislation or regulation for each provision in the bylaw. Each statement should be clear and precise enough that everyone is able to determine what they must or must not do in order to comply with it. Try to keep sentences short, simple and concise, using plain language and clear formatting.

For example, "No person shall engage in or operate a Business in the City unless the person holds a Business Licence authorizing them to engage in or operate that Business."

Severability Clause

A regulatory bylaw should contain a provision that allows the bylaw to remain valid if any portion of the bylaw is found by the Court of Queen's Bench to be invalid. Be aware that if the court finds that the council intended that the invalid portion is an integral part of the remainder, it may set aside the entire bylaw despite a severability clause.

Schedule Clauses

A schedule can be added as a supplement to the bylaw. The bylaw will include a reference to the schedule, which is attached and forms part of the bylaw. The schedule should include the bylaw number and a schedule number or letter. When a schedule is attached to a bylaw it becomes part of the bylaw; therefore it cannot be changed by a motion or resolution of council, but must be changed by an amending bylaw. Schedules are particularly useful for utility rate bylaws, as these amounts are often subject to review and adjustment.

Penalty Clause

Penalty and enforcement sections should be provided for in regulatory bylaws.

Example: “Any person who is in contravention of this Bylaw is guilty of an offence and is subject to receive a Municipal Tag in the amount of \$300.00 for the first offence.”

“Where a Business Licence has expired and the Business is still in operation, the person is guilty of an offence under this Bylaw.”

Section 7(i) of the MGA sets out some of the penalties that may be written into bylaws.

Transitional Clause

If applicable, provisions must be included that cover the period during which persons affected by the bylaw can do things to conform to the new conditions. Otherwise, the bylaw is in full effect when it receives third reading and the necessary signatures.

Repeal Clause

All previous bylaws that deal with subjects that are addressed in the new bylaw must either be repealed or amended. In the new bylaw, the number and description of the bylaws to be repealed or amended should be specified. It is also important to reference the repeal of any amendments to those bylaws.

Example, “Upon third reading of Bylaw _____, Bylaw _____ and all amendments thereto are hereby repealed.”

Passing a Bylaw

Readings

Section 187 of the MGA is very specific in its provisions regarding bylaw readings. It states that every proposed bylaw must have three distinct and separate readings. A proposed bylaw must not have more than two readings at a council meeting unless the councillors present unanimously agree to consider third reading.

The MGA requires that before the meeting at which first reading or third reading is to take place, each councillor present must be given or have had the opportunity to review the full text of the proposed bylaw. Only the title or identifying number has to be read at each reading of the bylaw.

The recording secretary must make sure all readings are included in the minutes. If all three readings are to take place at the same meeting, a motion to consider third reading must be presented and carried unanimously, prior to third reading taking place. The recording secretary must include the motion to consider in the minutes and record the vote as CARRIED UNANIMOUSLY.

Effective Date and Signature

Section 189 indicates that a bylaw is passed when it receives third reading and it is signed in by the chief elected official and a designated officer (CAO). A bylaw comes into force at the beginning of the day that it is passed unless otherwise provided for in an enactment or in the bylaw. No bylaw may come into force on the day before it is passed unless the enactment authorizing its passage specifically allows it to come into force that day. Although the legislation does not specifically address the seal on documents, it is advisable to seal over the signatures to deter possible tampering.

Conditions

If there are statutory conditions required prior to passing the bylaw, such as the necessity for approval by an external authority, it is advisable to set out the date of the satisfaction of the condition on the last page of the bylaw under the “readings”.

The MGA outlines some of the procedures that must be followed before a bylaw or resolution can be voted on. Certain bylaws cannot be passed until the public has been notified through advertising, of the intention to pass the bylaw. Examples include a road closure under section 22 or a bylaw that authorizes a loan under section 265. While not legislatively required, first reading

can take place before the public is notified, but before second and third readings are held, the administration must follow the advertising requirements set out in section 606.

Amending or Repealing Bylaws

The power to pass a bylaw includes the power to amend or repeal it. Section 191 of the MGA states that the amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents, conditions, or advertising requirements as the passing of the original bylaw.

A schedule to a bylaw is part of a bylaw. To change a schedule, another bylaw is required that states “Schedule A of bylaw XXX is amended as follows” or “is repealed and replaced with Schedule A, attached to and forming part of this bylaw.”.

A schedule to a bylaw cannot be amended by any means other than by another bylaw amending the schedule.

However, when a bylaw is revised under section 63, and includes the words ‘revised bylaw’ in the title, a public hearing or advertising is not required.

Revising Bylaws

63(1) A bylaw under this section may

- (a) omit and provide for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective;
- (b) omit, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality;
- (c) combine 2 or more bylaws into one bylaw, divide a bylaw into 2 or more bylaws, move provisions from one bylaw to another and create a bylaw from provisions of one or more other bylaws;
- (d) alter the citation and title of a bylaw and the numbering and arrangement of its provisions, and add, change or omit a note, heading, title, marginal note, diagram or example to a bylaw;
- (e) omit the preamble and long title of a bylaw;

- (f) omit forms or other material contained in a bylaw that can more conveniently be contained in a resolution, and add authority for the forms or other material to be prescribed by resolution;
- (g) make changes, without materially affecting the bylaw in principle or substance,
 - (i) to correct clerical, technical, grammatical or typographical errors in a bylaw,
 - (ii) to bring out more clearly what is considered to be the meaning of a bylaw, or
 - (iii) to improve the expression of the law.
- (3) The title of a revised bylaw must include the words “revised bylaw”.
- (4) A bylaw under this section must not be given first reading until after the chief administrative officer has certified in writing that the proposed revisions were prepared in accordance with this section.

Section 692(6) allows much the same process for planning bylaws.

Petition for a Bylaw

Under the MGA, electors may petition for a new bylaw or a bylaw to amend or repeal a bylaw on any matter within the council's jurisdiction. A petition requesting an amendment or repeal of a bylaw made under Parts 8 (Financial Administration), 9 (Assessment of Property), 10 (Taxation), 17 (Planning and Development), or 17.2 (Intermunicipal Collaboration) of MGA has no effect.

Within 30 days of the CAO declaring a petition submitted under Section 232 to be sufficient, the council must give first reading to a bylaw dealing with the subject matter of the petition and any other related matter that the council considers necessary. If there is no requirement to advertise the bylaw, the council must pass the bylaw within 30 days of first reading or set a date for the electors to vote on it. A vote of the electors must be held within 90 days of the first reading.

Petitions for Advertised Bylaws

After advertising a proposed bylaw, the electors may submit a petition to hold a vote to determine whether the proposed bylaw should be passed. Advertised proposed bylaws under section 22 and Part 17 (Planning and Development) cannot be petitioned.

If a sufficient petition is received, the council must either decide not to continue with the proposed bylaw or decide to continue and submit the bylaw to a vote of the electors within 90 days after the

CAO declares the petition sufficient. Section 231 of the MGA details what action council should take after the electors vote.

Challenging Bylaws

Under section 536 of the MGA any person can apply to the Court of Queen's Bench to have a bylaw declared invalid. Section 536(2) allows a person to apply for an order requiring council to amend or repeal a bylaw as a result of a vote by the electors (on the amendment or repeal).

A bylaw can be challenged and declared invalid on the basis that the proceedings and/or the manner of passing the bylaw do not comply with an enactment. The application must be made within 60 days after the bylaw is passed.

An application to the court to quash a bylaw may be made at any time for the following reasons:

- the bylaw is required to be put to a vote of electors and the vote has not been conducted, or the bylaw was not given the required approval in such a vote,
- the bylaw is required to be advertised and it was not, or
- a public hearing is required regarding the bylaw and it was not held.

No bylaw or resolution may be challenged on the ground that it is unreasonable.

To avoid challenges to your municipal bylaws, it is recommended that council and administration observe the following:

- (a) that the bylaw be enacted according to the Statutes of Alberta.
- (b) that a municipality cannot enact a bylaw that controls any matter over which the federal or provincial government have exclusive control; for example, a bylaw for the fine or penalty for speeding.
- (c) that the bylaw should not treat one group within a class differently from another group. An example of a discriminatory bylaw would be one that closed shops at 6:00 pm in the suburbs, but permits downtown shops to remain open later.
- (d) that council does not pass bylaws that affect an individual's rights
- (e) that the meanings within the bylaw are clear and precise. For instance, a community standards bylaw stating that the grass must be cut or mowed on a regular basis is not explicit. There is a need to provide a more definite explanation; for example, how long the grass has to be before it is considered unsightly.

(f) that when questions arise, a review by legal counsel is recommended.

There is an expectation that bylaws enacted by a municipality will be enforced. Municipalities have been found negligent by the courts for not enforcing bylaws.

Security of Bylaws

The security of bylaws is the duty of the CAO according to the provisions of Section 208(1)(b) of the MGA. Your bylaws are permanent records and should be stored in a fire proof safe, or perhaps backed up electronically and stored in a secure location. Bylaws may be kept for centuries, so take care of their appearance and preservation.

Municipal Government Act Sections Requiring Bylaws

** Yellow highlight signifies **mandatory** bylaws.

Section	Part and Title	Legislated Requirements
PART 2		
GENERAL JURISDICTION		
7	General jurisdiction to pass bylaws	
8	Powers under bylaws	
PART 3		
ROADS		
22	Road Closure	Requires Advertising
26	Temporary roads and rights of way	
27	Leases	
MUNICIPAL PUBLIC UTILITIES		
33	Prohibiting other public utilities	
NON-MUNICIPAL PUBLIC UTILITIES		
46	Prohibiting other non-municipal public utilities	
REVISION AND CONSOLIDATION OF BYLAWS		
63	Revising bylaws	
69	Consolidation of bylaws	
LIMITS ON MUNICIPAL POWERS		
74	Firearms	
75	Forest and Prairie Protection Act	
PART 4.1		
CITY CHARTERS		
141.5	Elements of a Charter	Requires Public Hearing

Section	Part and Title	Legislated Requirements
PART 5		
COUNCILS AND COUNCIL COMMITTEES		
143	Number of councillors for municipalities	Requires Advertising
144.1	Maternity and parental leave	
145	Bylaws -- council and council committees	
146.1	Codes of Conduct	
ELECTIONS, APPOINTMENTS AND WARD SYSTEM		
148	Division of municipality into wards	Requires Advertising
150	Election or appointment of chief elected official	Requires Advertising
PECUNIARY INTEREST OF COUNCILLORS		
171	Bylaw requiring statement of disclosure	
PART 6		
MUNICIPAL ORGANIZATION AND ADMINISTRATION		
203	Delegation by council	
205	Establishment of chief administrative officer	
210	Designated officers	
214	Destruction of records	
226.1	Bylaws modifying petition requirements	
230	Public hearing (Procedures for holding)	
PART 8		
BORROWING		
251	Borrowing bylaw	Requires Advertising - Review sections 256 thru 263 to determine if advertising is required for each instance
LOANS AND GUARANTEES		
265	Loan bylaw	Requires Advertising
266	Guarantee bylaw	Requires Advertising
PART 9		
PREPARATION OF ASSESSMENTS		
297	Assigning assessment classes to property	
304(1)(j)(ii)	Recording assessed persons (DMH)	Requires Advertising

Section	Part and Title	Legislated Requirements
304(1)(k)	Recording assessed persons (DMH)	
PREPARATION OF SUPPLEMENTARY ASSESSMENTS		
313	Preparation of supplementary assessments	
PART 10		
TAXATION		
339	Incentives - (for payment of property taxes)	
340	Installments	
344	Penalty for non-payment in current year	
345	Penalty for non-payment in other years	
351	Non-taxable property	
PROPERTY TAX		
353	Property tax bylaw	
	Special provisions - (compulsory installments)	
357		
363	Exempt property that can be made taxable	
364	Exemptions granted by bylaw	
364.1	Brownfield tax incentives	Requires Public Hearing
369	Supplementary property tax bylaw	
BUSINESS TAX		
371	Business tax bylaw	
377	Business tax rate bylaw	
379	Supplementary business tax bylaw	
381	Business Improvement Area Tax (AR 93/2016)	
COMMUNITY REVITALIZATION LEVY		
381.2	Community revitalization levy	
SPECIAL TAX		
382	Special tax bylaw	
WELL DRILLING EQUIPMENT TAX		
388	Well drilling equipment tax bylaw	
CLEAN ENERGY IMPROVEMENT TAX		
390.3	Clean energy improvement tax bylaw	Requires Public Hearing
LOCAL IMPROVEMENT TAX		

Section	Part and Title	Legislated Requirements
397	Local improvement tax bylaw	
COMMUNITY AGGREGATE PAYMENT LEVY		
409.1	Community aggregate payment levy bylaw	
PART 11		
ESTABLISHMENT AND FUNCTION OF ASSESSMENT REVIEW BOARDS		
454	Assessment review boards to be established	
PART 13		
POWERS AND DUTIES OF BYLAW ENFORCEMENT OFFICERS		
556	Powers and duties of bylaw enforcement officers	
PART 15		
REGIONAL SERVICE COMMISSIONS - ESTABLISHMENT AND OPERATION		
602.07	Bylaws -- Regional Service Commissions	
PART 16		
MISCELLANEOUS		
606.1	Advertisement Bylaw	Requires Public Hearing

Section	Part and Title	Legislated Requirements
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PART 17

No bylaw under this Part is binding unless passed in accordance with this Part

PLANNING AUTHORITIES

623	Subdivision authority
624	Development authority
625	Intermunicipal service agency
626	Municipal planning commission
627	Appeal board established (SDAB)

INTERMUNICIPAL DEVELOPMENT PLANS

631	Intermunicipal development plan	Requires Public Hearing (s. 692)
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MUNICIPAL DEVELOPMENT PLANS

632	Municipal development plan (Mandatory for all municipalities)	Requires Public Hearing (s. 692)
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AREA STRUCTURE PLANS

633	Area structure plan	Requires Public Hearing (s. 692)
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AREA REDEVELOPMENT PLANS

634	Area redevelopment plan	Requires Public Hearing (s. 692)
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LAND USE

639	Land use bylaw	Requires Public Hearing (s. 692)
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DEVELOPMENT LEVIES AND CONDITIONS

REDEVELOPMENT LEVIES

648	Offsite levy	Requires Public Hearing (s. 692)
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SUBDIVISION OF LAND

658	Cancellation of plan of subdivision
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RESERVE LAND, LAND FOR ROADS AND UTILITIES

665	Designation of municipal land
670.2	Funding future reserves
672	Transfer of school and other reserves to municipality

Section	Part and Title	Legislated Requirements
USE AND DISPOSAL OF RESERVE LAND		
676	Changes to environmental reserves' use of boundaries	Requires Public Hearing
PART 17.1		
GROWTH MANAGEMENT BOARDS		
708.23	Appeal or dispute resolution mechanism	
PART 17.2		
INTERMUNICIPAL COLLABORATION		
708.33	Method of creating framework	



REQUEST FOR DECISION

Bylaw Committee Agenda Item	4.5
Bylaw Committee Meeting Date	December 7, 2021
Subject	984/21 Council Procedural Bylaw
For Public Agenda	Public Information
Information	To discuss 984/21 Council Procedural Bylaw regarding the addition of Land Acknowledgement to "PART XII- Council Agenda, #6.
Attachments	984/21 Council Procedure Bylaw Draft
Recommendation	Administration recommends the Bylaw Committee accept the addition of Land Acknowledgement to "PART XII"- Council Agenda, #6 to 984/21 Council Procedural Bylaw and bring forward to the next Council meeting.

Prepared By:

Bonnie Rybak

Bonnie Rybak
Recording Secretary

December 2, 2021
Date

Endorsed By:

Gayle Rondeel

Gayle Rondeel
Chairperson

December 2, 2021
Date



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

WHEREAS Pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws in relation to the procedure and conduct of Council; and

WHEREAS The Council of the Town of Rimbey desires to establish a procedural and conduct Bylaw;

NOW THEREFORE The Council of The Town of Rimbey, duly assembled enacts as follows:

PART I BYLAW TITLE

1. This bylaw may be cited as the "Council Procedural Bylaw".

PART II - DEFINITIONS

In this Bylaw, unless the context otherwise requires:

1. "Administrative Inquiry" shall mean a written request from a Member of Council to the Administration, for the future provision of information and report.
2. "Bylaw" shall mean a Bylaw of the Town of Rimbey.
3. "Chairperson" or chair shall mean the Mayor, Deputy Mayor or any other duly appointed Presiding Officer at a constituted meeting.
4. "Chief Administrative Officer" has the meaning prescribed under the Municipal Government Act, and may be referred to as the "CAO".
5. "Conflict of Interest" means an occurrence where a Councillor's personal or private interests are, or may be perceived as, influencing the Councillor on a matter of public interest before Town Council, including occurrences which may result in common law bias, including direct or indirect pecuniary interest, prejudice, close mindedness or undue influence.
6. A Conflict of Interest occurrence also includes using the Councillor's position, confidential information or Town of Rimbey employees, materials, or facilities for personal or private gain or advancement or the expectation of personal or private gain or advancement. A Conflict of Interest may include advancing the interests of the Councillor's family, friends or business associates.
7. "Council" means the Town of Rimbey Council.
8. "Councillor(s)" has the meaning described under the Municipal Government Act, including an individual elected member of the Town of Rimbey Council and the Chief Elected Official (Mayor).
9. "Delegation" shall mean a person or group of persons wishing to appear before the Council to address a specific matter.
10. "Deputy Mayor" shall mean the member who is appointed pursuant to the Municipal Government Act to act as Mayor in the absence or



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

incapacity of the Mayor.

11. "Discrimination" means differential treatment of an individual or group of individuals based on cultural background, religious belief, gender, gender identification, marital status, positions, physical characteristics, or age. Discrimination can be intentional or unintentional and includes systemic discrimination in which neutral systems often have an inconsistent or unequal effect upon a particular group.
12. "Harassment" means any unwanted physical or verbal conduct that is based on, but not restricted to cultural background, age, religion, gender, marital status, position, mental or physical disability, pardoned conviction, gender identification or any other conduct that a reasonable person ought to have deemed as being unwelcome.
13. "In Camera" means "in private" meeting. It involves a confidential meeting, or a portion of a meeting, taking place with only Council members, the CAO, or any other person invited by Council, present and are within one of the exceptions to disclosure as outlined in the Freedom of Information and Protection of Privacy Act.
14. "Mayor" shall mean the Chief Elected Official elected in accordance with the Municipal Government Act.
15. "Member" shall mean a member of Council.
16. "MGA" means the Municipal Government Act.
17. "Person" shall include an individual, partnership, corporation, trustee, executor or administrator.
18. "Point of Order" shall mean the raising of a question by a member or staff to call attention to any departure from the Procedure Bylaw.
19. "Procedural Bylaw" means the current, active Procedural Bylaw of the Town of Rimbey, which established the procedural guidelines of Council.
20. "Public Forum" shall mean the portion of the meeting where a person(s) present at the meeting are allowed to address Council regarding issues arising from the meeting in progress.
21. "Public Hearing" shall mean a meeting of Council convened to hear matters pursuant to the Municipal Government Act, any other Act, and any other matter at the direction of Council.
22. "Quorum" shall mean a majority of those members elected and serving on Council.
23. The "**Town**" means the municipality of Rimbey.
24. "Written Notice" shall mean letter, email, or facsimile.

PART III - GENERAL

1. This Bylaw shall govern the proceedings of Council.
2. When any matter relating to the proceedings of Council is not addressed in the Bylaw, reference shall be made in accordance with the



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

Municipal Government Act.

3. In the absence of any statutory obligations, any provision of this Bylaw may be waived by resolution of Council, provided a majority of the members vote in favor thereof, to deal with a matter under consideration.
4. In the absence of, or in the inability of the Mayor or Deputy Mayor to act, Council shall appoint any other member as Acting Mayor as provided for by the Act.

PART IV - INAUGURAL MEETING

1. The Organizational Meeting immediately following a General Municipal Election shall be called the Inaugural Meeting.
2. During the Inaugural Meeting the Chief Administrative Officer shall:
 - a. Take the Chair;
 - b. Call the meeting to order;
 - c. Preside over the meeting until the Oath, prescribed by the Oaths of Office Act, has been administered to the Mayor.
3. After the Mayor has taken the Oath and assumed the Chair, the Councillors who have been elected at an election, immediately preceding the meeting shall take the official oath as prescribed by the Oaths of Office Act.

PART V - ORGANIZATIONAL MEETING

1. An Organizational Meeting of Council shall be held annually pursuant to Section 192 of the Municipal Government Act.
2. The Chief Administrative Officer shall fix the time and place of the Organizational Meeting.
3. The agenda for the Organizational Meeting shall be restricted to:
 - a. the administration of the oath and the introduction of new members, should the meeting follow the General Municipal Election;
 - b. the establishment of regular meeting dates and times for Council Meetings;
 - c. the appointment of the Deputy Mayor;
 - d. the appointment of Signing Authorities;
 - e. the appointment of members to act on committees, board and other bodies on which Council is entitled to representation;
 - f. any such other business as is required by the Act.

PART VI – REGULAR MEETINGS OF COUNCIL

1. The Regular Meetings of Council shall be held in the Council Chambers of the Town on days and times established, by resolution of Council, at the annual Organizational Meeting of Council.
2. In the case where a Regular Council Meeting conflicts with a General



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

Holiday, the Regular Council Meeting shall be held in the Council Chambers of the Town on a day and time established, by resolution of Council, at the annual Organizational Meeting of Council.

3. Regular Meetings of Council may be cancelled or rescheduled by resolution of Council at any duly constituted meeting.

PART VII - IN CAMERA MEETINGS

1. Council may, by resolution, go into an In Camera meeting to consider a matter which is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, which meeting:
 - a. may be held in private;
 - i. may exclude any person or persons therefrom; or include any person or persons, and shall not have the power to pass any resolution except one to revert to the open meeting.
2. Councillors are to keep in confidence matters discussed in camera at a Council Meeting until discussed at a meeting held in public.

PART VIII - SPECIAL COUNCIL MEETINGS

1. The Mayor may call a Special Meeting of Council pursuant to Section 194 of the Municipal Government Act, whenever he or she considers it expedient to do so.
2. The Mayor must call a Special Council meeting if he or she receives a written request for the meeting, stating its purpose, from a majority of the Councillors.
3. Where a Special Meeting is requested by a majority of Council, the Mayor shall call such meeting within fourteen (14) days of the date on which the request in writing was delivered to the Mayor.
4. The Mayor calls a Special Meeting of Council by giving at least 24 hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held.
5. A Special Council meeting may be held with less than 24 hours' notice to all councilors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
6. No business other than that stated in the notice calling the Special Council meeting shall be transacted at any Special Meeting of Council, unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.
7. The Chief Administrative Officer shall place at the disposal of each Council member a copy of the agenda and supporting material as soon as possible after the call of a Special Meeting.



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

PART IX - MEETINGS THROUGH ELECTRONIC COMMUNICATIONS

1. A meeting may be conducted by means of electronic or other communication facilities if,
 - a. Notice is given to the public of the meeting, including the way in which the meeting is to be conducted.
 - b. The facilities enable the public to watch and listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place; and
 - c. The facilities enable all of the meeting's participants to watch or hear each other.
2. Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.
3. With the unanimous consent of Council, an electronic Special Council Meeting via email may be conducted for a very high priority or time sensitive matter and only in exceptional circumstances. The email notice of such meeting shall include the meeting Agenda, any supporting material and the motion to be voted on. Members will vote using "Reply All" to the email indicating "In Favor" or "Opposed" to the motion. At the discretion of the Chief Administrative Officer if there is significant discussion or debate by the members on the resolution, the meeting will be adjourned and the matter brought forward at the next Council Meeting.

PART X - NOTICE OF MEETINGS

1. Section 196(2) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 states: Notice of Council or Council Committee meeting to the public is sufficient if the notice is given in a manner specified by Council.
2. Notice to the public of Regular Council Meetings and Special Council Meetings shall be deemed to be given by the Chief Administrative Officer posting notice of all meeting dates and times at the Town Office, OR advertising the meeting dates and times in the local newspaper OR on its website.

PART XI - QUORUM

1. As soon as there is a quorum of Council after the hour fixed for the meeting, the Chairperson shall call the members to order.
2. In the event the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the hour of a scheduled meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a Chairperson shall be selected by the Council members in attendance, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
3. If a quorum is not present within thirty (30) minutes after the time fixed for a Regular or Special Meeting, the Chief Administrative Officer shall record the names of the members of Council present and the Council shall stand adjourned until the next Regular Council Meeting or another Special Meeting is called.



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

PART XII - COUNCIL AGENDA

1. The Agenda shall be prepared by the Chief Administrative Officer or designate in conjunction with the Mayor.
2. All items for the Agenda, including all documents and notice of delegations, shall be delivered in writing to the Chief Administrative Officer by noon on the Wednesday of the week preceding the meeting of Council.
3. The Mayor and Councillors will provide a written report, of their activities which will be included in the agenda package of the second Council Meeting of the month, however, should there only be one scheduled meeting, the reports will be due and included in the agenda package of that meeting.
4. No further additions to the Agenda will be presented unless the addition is of an emergent nature and the Mayor is in agreement.
5. The Chief Administrative Officer shall place at the disposal of each member of Council, a copy of the Agenda and all supporting materials no later than 4:30 p.m. local time on the Friday prior to the Regular Meeting of Council.
6. The order of business on the agenda shall be as follows:
 - 1) Call to Order
 - 2) Land Acknowledgment
 - ~~2)3) Adoption of Agenda~~
 - ~~3)4) Approval of Minutes~~
 - ~~4)5) Public Hearings~~
 - ~~5)6) Delegations~~
 - ~~6)7) Bylaws~~
 - ~~7)8) New and Unfinished Business~~
 - ~~8)9) Reports~~
 - ~~9)10) Correspondence~~
 - ~~10)11) Open Forum~~
 - ~~11)12) In Camera~~
 - ~~12)13) Adjournment~~
7. The order of business established in Part XII 6. shall apply unless Council otherwise determines by a majority vote of the members in attendance.

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PART XIII - REQUEST FOR DECISION

1. A Request for Decision must be used to introduce a matter for consideration by Council.
2. A Request for Decision, with all supporting documentation shall be submitted to the Chief Administrative Officer to be included in a Regular Council Meeting Agenda.

PART XIV - MEMBER DEBATING

1. A member wishing to speak on a matter before the meeting should indicate their intentions by raising their hand and, being recognized by the Chair, should not speak more than once until every member has had the opportunity to speak, except:
 - a. In the explanation of a material part of the speech which may have been misunderstood; or
 - b. In reply, to close debate, after everyone else wishing to speak has spoken, provided that the member presented the resolution to the meeting.
2. The member shall confine themselves to the question and avoid personality.
3. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
4. Supplementary questions or a series of questions relating to the matter before the meeting may be raised by the member, but each such question requires consent of the Chair.
5. Through the chairperson, a member may ask:
 - a. For an explanation of any part of the previous speaker's remarks; and
 - b. Questions to obtain information relating to the minutes presented to the meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.
6. All questions or debate shall be directed through the Chair.

PART XV - MOTIONS

1. A member of Council may present a motion for consideration. The motion does not require a seconder. The motion shall be recorded and the motion shall be deemed to be "on the floor" and open for formal discussion and debate.
2. Following debate on the motion under consideration, the Chair may call for a vote on the motion.
3. When any member of Council desires to speak, they shall address their remarks to the Chair, confine themselves to the question, and avoid personality. Should more than one member of Council desire to speak



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

at the same time, the Chair shall determine who is entitled to the floor.

4. All motions shall be voted upon by all members of Council in attendance unless abstention by a member is duly noted in the minutes for reasons of conflict of interest.
5. Every motion, when moved and presented to the Chairperson is the property of Council; a motion may only be withdrawn with the unanimous consent of Council.
6. Any member may require the motion under discussion to be read at any time during the debate, except when a member is speaking.
7. The mover of a motion must be present when the vote on the motion is taken.
8. The Chief Administrative Officer or designate shall record all motions in writing before being debated or voted upon.
9. No motion shall be offered that is substantially the same as the one that has already be expressed during the same meeting.
10. Where a matter under consideration contains several distinct propositions, a member may request; or the Chairperson may direct, that each proposition be made as a separate motion.
11. After the Chairperson has called the vote, no member shall speak to the motion nor shall any other motion be made until after the result of the vote has been declared.
12. Voting on all motions shall be done by clearly raising the hand so that the Chairperson may easily count them. After the Chairperson has counted the vote, he or she shall declare whether it was carried or defeated. Except where provided for in this Bylaw or by the applicable legislation, a majority vote of the members present who are eligible to vote, shall decide a motion or question before the Council.
13. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
14. A "Motion to Table" may be made when a member wishes Council to decline to take a position on the main question.
15. Amendment:
 - a. Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chairperson shall rule on the disputes arising from amendments.
16. Rescinding Motions:
 - a. A Motion to Rescind a previous motion may be accepted by the Chair under special circumstances; and, if passed by a majority vote of the members present, the previous motion referred to would be declared null and void.
 - b. A Motion to Rescind a previous motion may be offered at any time subsequent to the meeting at which the original motion was passed.



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

- c. Notice to rescind a motion shall be a request for decision or the inclusion of the item on an agenda delivered to the members of Council before the meeting.

PART XVI - VOTING

1. When the Chairperson, having ascertained that no further information is required, commences to take a vote, no member shall speak to or present another motion until the vote has been taken on such motion or amendment.
2. A member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.
3. Every member present, including the Mayor or Chairperson, shall vote on every matter, unless
 - a. In a specific case, the member is excused by motion of Council from Voting; or
 - b. Disqualified from voting by reason of pecuniary interest;
4. A member who has a reasonable belief that he or she has a pecuniary interest as defined in the Municipal Government Act in any matter before Council, shall so declare and disclose his or her interest and shall abstain from debate and voting on the matter and shall remove him or herself from Council Chambers until the matter is concluded. The minutes shall indicate the declaration disclosure, the time at which the member left the room and the time the member returned. A member whose pecuniary interest arises due to the paying of the bills shall not be required to leave the Council Chambers.

PART XVII - THE VOTE

1. Any Bylaw or motion on which there is a tie shall be deemed to be defeated.
2. All votes shall be recorded with the names of those "in favour" and "opposed" and then declared as carried or defeated.

PART XVIII - MAYOR

1. Pursuant to Section 154 (1)(a) of the MGA, the Mayor shall preside at meetings of Council, and the Mayor, at their discretion, may allow the Deputy Mayor to preside at a Council meeting at which the Mayor is in attendance.
2. The Mayor shall preside over the conduct of the meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any member of Council from any ruling of the



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

Chair.

PART XIX - APPEAL RULING

1. The decision of the Chairperson shall be final, subject to an immediate appeal by a member of Council

2. If the decision is appealed, the Chairperson shall give concise reasons for their ruling and Council without debate, shall decide the question. The ruling of Council shall be final.

PART XX - DELEGATIONS

1. A person or representative of a delegation of persons who wishes to bring any matter to the attention of Council:
 - a. shall address correspondence to the Chief Administrative Officer clearly stating the matter or issue to be discussed. Such correspondence shall be included with the Agenda;

2. A delegation, scheduled to address Council on a topic shall address the Chair upon recognition by the Chair. The scheduled delegate shall be limited to a ten (10) minute presentation unless such time is extended by permission of the Chair.

3. The Delegation portion of the Council meeting shall provide:
 - a. An opportunity for any person or representative of any delegation who wishes to bring any matter to the attention of Council, provided they have submitted information in accordance with this Bylaw and their submission has been distributed to Council with the Agenda package

4. Delegations from the same party or parties, or for the same matter as a previous delegation, held within the previous six months, shall not be allowed to appear before Council unless, in the opinion of the Mayor and Chief Administrative Officer new and compelling information comes to light which would warrant the delegation within the six month period.

5. Any delegation wishing to address Council, regarding a matter which is the subject of a Public Hearing, may attend at the Council Chambers at the Public Hearing and shall be heard.

6. Notwithstanding the provisions of the Act respecting petitions, where a person or group of persons wishes to bring any matter to the attention of Council or to have any matter considered by Council, a letter, petition or other communication shall be addressed to the Chief Administrative Officer, which letter, petition or other communication shall:
 - a. be printed, typewritten or legibly written;
 - b. clearly set out the matter at issue and the request made of Council in respect thereof;
 - c. in the case of a letter or communication, be signed with the correct name of the writer and contain the correct mailing



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

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- address of the writer;
 - d. in the case of a petition, be prepared and presented in accordance with the Act or other Provincial Statute.
7. The Delegation portion of the meeting shall last for a maximum of twenty (20) minutes, unless the majority of Council members present agree to extend the time.
 8. Council will not entertain submissions from the public on issues that are before the Subdivision and Development Appeal Board, a Statutory Public Hearing; or any other public consultation/communication process.

PART XXI – OPEN FORUM

1. The open forum shall be for a maximum total of twenty (20) minutes in length to allow members of the public present at the meeting to address Council regarding issues arising from the meeting in progress. No formal decision shall be made on any matter discussed with Council during the open forum session.

PART XXII - MINUTES

1. The Chief Administrative Officer or their designate shall:
 - a. Attend all Regular Council and Special Council meetings of the Council
 - b. record all minutes of Council Meetings and Special Meetings in the English language, without note or comment,
 - c. record the names of the Councillors present at Council Meetings
 - d. record the time of arrival and/or departure of Council members at meetings should a member of Council arrive late at a meeting or depart prior to the completion of a meeting.
 - e. ensure the minutes of each Council Meeting or Special Meeting are given to Council for adoption at a subsequent Council Meeting;
2. Minor changes may be made to the minutes to correct errors in grammar, spelling and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence. No change shall be allowed which would alter the actual decision made by Council.
3. Administration is authorized to electronically record the Regular Council and Special Council meetings to ensure accuracy of the motions.
4. If a member wished to challenge the accuracy of the minutes of a previous meeting, the Member must make the challenge known to the Chief Administrative Officer before Council has officially confirmed the minutes.
5. Ensure that the last page of the minutes of each meeting is signed by the Mayor or presiding officer and the Chief Administrative Officer.
6. The Chief Administrative Officer may delegate any duties to the Recording Secretary, but the Chief Administrative Officer shall accept all responsibilities of the Recording Secretary.



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

PART XXIII - ADJOURNMENT

1. A motion to Adjourn the meeting shall be in order except:
 - a. When a member is in possession of the floor; or when it has been decided that the vote now be taken; or
 - b. During the taking of a vote.

PART XXIV - BOARDS AND COMMITTEES

1. The Mayor shall appoint Council representatives to such Committees, Boards and Commissions as required by legislation, agreement or bylaw as they deem necessary. The Mayor will consult with Councillors regarding their appointments prior to the organizational meeting. Unless an addition is required mid-term, these appointments shall be made on an annual basis at the Organizational Meeting.
2. The Mayor may make appointments to a Committee at any time, providing that the Council has adopted a motion or Bylaw specifying the Terms of Reference of the Committee.
3. Appointed Councillors shall keep the rest of the Council informed of the Board/Committee actions by providing regular activity highlights through their Councillor reports.
4. The Mayor shall act as ex-officio to all Committee/Board appointments and may attend any meetings.

PART XXV - PROHIBITIONS

1. A member shall not:
 - a. Use offensive words or parliamentary language or conduct in Council;
 - b. Disobey the rules of the Council or decision of the Chairperson or of Council on questions of order or practice, or upon the interpretation of the rules of Council;
 - c. Leave his or her seat or make any noise or disturbance while a vote is being taken and the result is declared;
 - d. Enter the Council Chambers while a vote is being taken;
 - e. Interrupt a member while speaking, except to raise a point of order or question of privilege.
2. A member who persists in a breach of Section XXV 1, after having been called to order by the Chairperson, may at the discretion of the Chair be ordered to leave their seat for the duration of the meeting.
3. At the discretion of the Chair, the member may resume their seat following an apology.
4. Should the individual refuse to leave their seat, the Mayor may request their removal by the police.
5. A member who wishes to leave the meeting of Council, without intent



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

to return prior to the adjournment, shall so advise the Chairperson and the time of departure shall be recorded in the minutes.

PART XXVI - QUESTION OF PRIVILEGE

1. A member who desires to address Council upon a matter which concerns the rights or privileges of the Council collectively, or of him or herself as a member thereof, shall be permitted to raise such question of privilege. A question of privilege shall take precedence over other matters. While the Chairperson is ruling on the question of privilege, no one shall be considered to be in possession of the floor.

PART XXVII - POINTS OF ORDER

1. A member who desires to call attention to a violation of the rules of procedure shall ask leave of the Chairperson to raise a point of order with a concise explanation and shall attend the decision of the Chairperson upon the point of order. The speaker in possession of the floor when the point of order was raised shall have the right to the floor when debate resumes.
2. A member called to order by the Chair person shall immediately vacate the floor until the point of order is dealt with, and shall not speak again without the permission of the Chairperson unless to appeal the ruling of the Chair.

PART XXVIII - BYLAWS

1. Where a Bylaw is presented to Council for enactment, the Chief Administrative Officer shall cause the number and short title of the Bylaw to appear on the Agenda.
2. A motion on first reading of a Bylaw shall be decided without amendment or debate.
3. Pursuant to the MGA, every proposed Bylaw shall receive three separate readings but not more than two on the same day, unless the members of Council present unanimously agree to consider third reading. It shall be read twice before it is committed and engrossed, and the third time before it is signed by the Mayor and Chief Administrative Officer. The Chief Administrative Officer shall include the date of the passing upon every Bylaw.
4. When a Bylaw is not subject to a statutory public hearing;
 - a. Council shall vote on the motion for first reading of a Bylaw without amendment or debate;
 - b. A member may ask a question or questions concerning the Bylaw, provided such questions do not indicate the member's opinion for or against the Bylaw;
 - c. A Bylaw shall be introduced for second reading by a motion that it be read a second time, specifying the number of the Bylaw.
 - d. After a motion for second reading of the Bylaw has been presented, Council may debate the substance of the Bylaw and propose and consider amendments to the Bylaw:
 - e. A proposed amendment shall be put to a vote and if carried,



BYLAW NO. ~~98439~~ / ~~2118~~

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

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- shall be considered as having been incorporated in the Bylaw at second reading.
- f. The Chief Administrative Officer or designate shall be responsible for keeping a record of any amendments to the Bylaw passed by Council.
 - g. A motion for third reading shall be introduced specifying the number of the Bylaw, and the Bylaw, upon being passed shall be signed by the Mayor and Chief Administrative Officer and sealed.
5. A Bylaw which requires a statutory public hearing shall be presented on a motion for first reading.
- a. Council may at this point:
 - i. Debate the substance of the Bylaw, and
 - ii. Propose and consider amendments to the Bylaw
 - b. A proposed amendment shall be put to a vote and if carried shall be considered as having been incorporated into the Bylaw at first reading.
 - c. When all amendments have been dealt with, the motion for first reading of the Bylaw shall be placed.
 - d. Following the Public Hearing, a motion for second reading may be placed and further amendments presented.
 - e. Those members of Council who have not attended the Public Hearing for said Bylaw are not eligible to vote on second and third readings of the Bylaw.
 - f. A motion for third reading shall be introduced specifying the number of the Bylaw, and the Bylaw upon being passed, shall be signed by the Mayor and the Chief Administrative Officer and sealed.
6. A Bylaw shall not be given more than two readings at one meeting unless the members present at the meeting unanimously agree that the Bylaw may be presented to Council for third reading at the same meeting at which it received two readings.
7. When Council unanimously agrees that a Bylaw may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the Bylaw than if it had received third reading at a subsequent meeting.
8. A Bylaw shall be passed when a majority of the members present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
9. When a Bylaw is defeated at third reading, the first reading and second reading are deemed to be rescinded.
10. When a Bylaw has been given three readings by Council, it is
- a. A municipal enactment of the Town; and
 - b. Effective immediately unless the Bylaw or an applicable provincial statute provides otherwise.

PART XXIX - PUBLIC HEARINGS

“Adjourn” used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting.



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

“Close” used in relation to a Public Hearing, means to terminate the Public Hearing.

1. At the commencement of a Public Hearing, the Chairperson shall:
 - a. State the matter to be considered at the hearing;
 - b. Inform those present of the procedure, which shall be followed in hearing the respective submissions; advise those members of the public in attendance who wish to speak in favour of or opposed to the Bylaw to include their name and address on the sign-in sheet. A copy of the rules of procedure for public hearings will also be made available to the public.
 - c. Ask the Development Authority if the Public Hearing has been advertised in accordance with the Act;
 - d. Request that the Development Authority present a report on the issue at hand;
 - e. Allow the applicant, and/or their representative(s), up to twenty (20) minutes to present their position, exclusive of the time required to answer questions put to the applicant by a Council member, unless granted a time extension by Council.
2. Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak or provide written submissions in the following order:
 - a. The Development Authority will read out each written submission in favour of the matter being considered.
 - b. The Chairperson will call on each person who is in favour of the matter being considered.
 - c. The Development Authority will read out each written submission opposed to the matter being considered.
 - d. The Chairperson will call on each person who is opposed to the matter being considered.
3. If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on their behalf. The authorization must:
 - a. be in legible writing
 - b. name the individual authorized to speak;
 - c. indicated the proposed matter be considered to be spoken to; and
 - d. be signed by the person giving the authorization.
4. The authorized speaker must state the name of the person that the speaker represents and provide written authorization to the Chief Administrative Officer.
5. All speakers shall adhere to the timeframes as set out in the “Rules of Procedure for Public Hearings”.
6. The Chairperson will allow the Development Authority to make closing comments.
7. The Chairperson will allow the applicant to make closing comments.
8. If there is more than one Public Hearing on the Agenda, the Chairperson shall adjourn or close the Public Hearing before opening another Public Hearing.
9. If a Public Hearing is adjourned, Council shall not receive any additional



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

submissions in relation to the subject matter unless it re-opens the Public Hearing.

10. If a Public Hearing is closed, Council shall not receive any additional submissions from the public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.
11. An outline of the Rules of Procedure shall be provided in written form to any person who indicates that he will make a written submission, and further there shall be printed copies of the same available to those in attendance at the Hearing.
12. Any member of Council, who has not attended a Public Hearing for a Bylaw or resolution, is not eligible to vote on said Bylaw or resolution.

PART XXX COUNCIL REVIEW OF ORDERS ISSUED UNDER THE MUNICIPAL GOVERNMENT ACT – SECTION 545/546

1. In this section, the following terms have the following meanings:
 - a. “Appellant” means the person who received a written order under Section 545 or 546 of the Municipal Government Act;
 - b. “Order to Remedy” means an order issued under Section 545 or Section 546 of the Municipal Government Act;
 - c. “Staff” means a designated officer of the Town of Rimbey or an employee whom has been delegated the responsibility to issue an Order to Remedy.
2. Upon receipt of a written request pursuant to Section 547 of the Municipal Government Act, the Chief Administrative Officer will schedule a Council Review at a Regular Council Meeting as soon as practicable after ensuring that all parties have sufficient time to prepare for the Council Review.
3. Written materials, videos, and slide presentations received as submissions from the Appellant and Staff must be submitted not less than seven (7) calendar days prior to the Council Review and will be distributed as part of the Council Agenda.
4. The Appellant is entitled to appear before Council, in person or by an authorized agent, and to be represented by legal counsel.
5. The rules of evidence in judicial proceedings do not apply to a Council Review and evidence may be given in any manner Council considers appropriate.
6. The procedure in a Council Review is as follows:
 - a. The Chair will open the Council Review; introduce members of Council Staff and the Appellant or their representative;
 - b. The Chair will describe the Council Review process and deal with any preliminary matters;
 - c. The Appellant will be invited to make opening remarks and presentations (maximum of ten (10) minutes) followed by questions to the Appellant by councillors;
 - d. Staff will be invited to make opening remarks and presentation (maximum of ten (10) minutes) followed by questions to the Staff by Councillors;
 - e. The Appellant will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Appellant by



BYLAW NO. ~~98439~~ / ~~2118~~

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

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- Councillors;
- f. Staff will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Staff by Councillors; and
 - g. The Appellant will be invited to make closing remarks (maximum of five (5) minutes) followed by questions to the Appellant by Councillors.
7. If the Appellant fails to attend the Council Review despite having been given notice, Council may proceed with the Council Review in the absence of the Appellant.
 8. At the conclusion of the Council Review, Council may confirm, vary, substitute or cancel the Order to Remedy.

PART XXXI - CONDUCT OF THE PUBLIC IN COUNCIL MEETINGS

1. Members of the public and media who constitute the audience in the Council Chambers during a Council meeting shall:
 - a. not address Council without permission from the Chairperson;
 - b. maintain order and quiet;
 - c. not applaud or otherwise interrupt any speech or action of the members, or any other person addressing Council;
 - d. refrain from wearing headwear, unless for ethnic/religious reason, in Council Chambers;
 - e. refrain from any use of recording devices in the Council Chambers
2. A member of the public who persists in a breach of this section, after having been called to order by the Chairperson may, at the discretion of the Chair, be ordered to leave Council Chambers.
3. The Chair may, upon request, authorize a person in the public gallery to address Council only on the topic being debated at that time in the meeting and the Chair shall specify the time limit provided to the person wishing to address the matter.

PART XXXII - REPEAL

- 1) Bylaws No. 939 is hereby repealed.
~~515/86, No. 611/94, No. 858/10, No. 889/13, 894/14 and 924/16 are hereby repealed.~~
- 2) This Bylaw shall come into effect on the date of the third and final reading.



BYLAW NO. ~~98439~~ / ~~2118~~

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

PART XXXIII - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____, 20~~21~~18.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Second Time in Council this ____ day of _____, 20~~21~~18.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Third Time and Finally Passed this ____ day of _____, 20~~21~~18.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

DRAFT



REQUEST FOR DECISION

Bylaw Committee Agenda Item	4.6
Bylaw Committee Meeting Date	December 7, 2021
Subject	951/18 Town of Rimby Traffic Bylaw
For Public Agenda	Public Information
Information	To discuss 951/18 Town of Rimby Traffic Bylaw regarding recreational vehicle parking.
Attachments	951/18 Town of Rimby Traffic Bylaw 950/18 Nuisance Bylaw

Prepared By:

Bonnie Rybak

Bonnie Rybak
Recording Secretary

November 10, 2021
Date

Endorsed By:

Gayle Rondeel

Gayle Rondeel
Chairperson

November 10, 2021
Date



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

WHEREAS

The Traffic Safety Act, R.S.A.2000, c, T-6, section 13 provides that a Municipal Council may pass a Bylaw with respect to regulation of parking and the use of highways under its direction, control and management.

NOW THEREFORE

The Council of the Town of Rimbey, duly assembled enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as the "Town of Rimbey Traffic Bylaw"

2. DEFINITIONS

2.1 Words used in this Bylaw which have been defined in the act or the Regulations have the same meaning when used in this Bylaw.

2.2 In this Bylaw:

- (a) **"Act"** means The Traffic Safety Act, R.S.A. 2000, c. T-6, as amended or replaced from time to time;
- (b) **"alley"** as defined in the Act means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- (c) **"boulevard"** as defined in the Act means that part of a highway in an urban area that
 - (i) Is not roadway, and
 - (ii) Is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
- (d) **"C.A.O."** means the Chief Administrative Officer of the Town of Rimbey, or designate;
- (e) **"Council"** means the Municipal Council of the Town of Rimbey;
- (f) **"crosswalk"** as defined in the Regulations means
 - (i) That part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the roadway measured from the curbs or, in the absence of curbs from the edges of the roadway, or
 - (ii) Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface;
- (g) **"curb"** means the actual concrete or asphalt curb, or in the absence of one, the dividing line of a highway between the edge of the roadway and the sidewalk;
- (h) **"disabled parking zone"** means a space or portion of a highway or parking lot set apart and designated exclusively for the parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services, and so marked with a sign or other marking authorized by the C.A.O.;



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (i) **“emergency vehicle”** as defined in the Act means,
- (i) A vehicle operated by a police service as defined in the Police Act;
 - (ii) A fire-fighting or other type of vehicle operated by the fire protection service of a municipality;
 - (iii) An ambulance operated by a person or organization authorized to provide ambulance services in the municipality;
 - (iv) A vehicle operated as a gas disconnection unit of a public utility;
 - (v) A vehicle designated by regulation as an emergency response unit;
- (j) **“heavy vehicle”** means a motor vehicle, alone or together with any trailer, semi-trailer or other vehicle being towed by the motor vehicle, with a registration gross weight of five (5) tonnes or more, or exceeding eleven (11) metres in total length. A public passenger vehicle, when engaged in the transport of passengers, shall be deemed to be excluded from the definition of a heavy vehicle for the purposes of sections 11.1 and 11.2 of this Bylaw;
- (k) **“highway”** as defined in the Act 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;
- (l) **“loading zone”** means a portion of the street adjacent to the curb designated by traffic control device for the exclusive use of vehicles loading or unloading passengers or materials;
- (m) **“maximum weight”** means the maximum weight permitted for a vehicle and load pursuant to the vehicle’s official registration certificate issued by the Province of Alberta, or absent such certificate, the combined weight of the vehicle and the heaviest load that may be carried in accordance with the provisions of the Act and the applicable regulations passed pursuant to the Act;



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (n) **“median”** as defined in the Regulations means a physical barrier or area that separates lanes of traffic on a highway;
- (o) **“mobility Aide”** means a device that is used to facilitate the transport, in a normal seated orientation, of a person with a physical disability;
- (p) **“motor vehicle”** as defined in the Act; means
- (i) A vehicle propelled by any power other than muscular power, or
 - (ii) A moped,
- But does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails;
- (q) **“off-highway vehicle”** means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,
- (i) 4 wheel drive vehicles,
 - (ii) low pressure tire vehicles
 - (iii) motor cycles and related 2 wheel vehicles,
 - (iv) amphibious machines,
 - (v) all terrain vehicles,
 - (vi) snow vehicles,
 - (vii) minibikes, and
 - (viii) any other means of transportation that is propelled by any power other than muscular power or wind,
- but does not include
- (ix) motor boats, or
 - (x) any other vehicle exempted from being an off-highway vehicle by regulation;
- (r) **“parade or procession”** means any group of pedestrians (except military or funeral processions) numbering more than twenty five (25) who are marching, walking, running, standing or racing on a roadway or sidewalk, and includes a group of vehicles (excepting military or funeral processions) numbering ten (10) or more that are involved in a procession on a roadway;



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (s) **“park”** as defined in the Regulations means allowing a vehicle to remain stationary in one place, except
 - (i) While actually engaged in loading or unloading passengers, or
 - (ii) When complying with a direction given by a peace officer or traffic control device;
- (t) **“parking violation ticket”** means a tag issued in lieu of prosecution in respect of an infraction against this Bylaw or the parking provisions of the Regulations in a form approved by the C.A.O. or his authorized designate;
- (u) **“parking stall”** means a portion of a roadway or public parking lot indicated by markings as a parking space for one vehicle;
- (v) **“peace officer”** means any member of the Royal Canadian Mounted Police, a Peace Officer, a Bylaw Enforcement Officer or any other person designated by the C.A.O.;
- (w) **“pedestrian”** as defined in the Act means
 - (i) A person on foot, or
 - (ii) A person in or on a mobility aid,

And includes those persons designated by regulation as pedestrians;
- (x) **“private road” or “driveway”** means an entrance from a roadway to private property or a road or space on private property designed for vehicular traffic that is not open to the general public;
- (y) **“public holiday”** means a Sunday, a Holiday as defined in the Interpretation Act of the Province of Alberta, and any day or portion of a day so proclaimed by the Mayor or so declared by the Council of the Town of Rimbey;
- (z) **“Regulations”** means The Use of Highway and Rules of the Road Regulation, (A.R. 304/2002) made pursuant to the Act;
- (aa) **“refuse”** means any substance or material discarded or disposed of within the Town other than by lawful deposit at a disposal site and includes animal waste, dry waste, construction waste, garbage, industrial waste, chemical waste, yard waste, litter, ashes, medical waste and any other types of refuse or waste whatsoever;
- (bb) **“roadway”** as defined in the Act means that part of a highway intended for use by vehicular traffic;
- (cc) **“sidewalk”** as defined in the Act means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between
 - (i) The curb line, or



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (ii) Where there is no curb line, the edge of the roadway,

And the adjacent property line, whether or not it is paved or improved;
- (dd) “Municipality”** or “Town” means the Corporation of the Town of Rimbey or the area contained within the corporate boundaries of the Town, as the context requires;
- (ee) “specified penalty”** means a penalty for specific offences in this Bylaw as provided for in Schedule A of this Bylaw;
- (ff) “trailer”** as defined in the Act means a vehicle so designed that it may be attached to or drawn by a motor vehicle or tractor, and is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer, but does not include machinery or equipment solely used in the construction or maintenance of highways;
- (gg) “traffic control device”** as defined in the Act means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic;
- (hh) “traffic control signal”** as defined in the Act means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed;
- (ii) “track”** means to allow, cause or permit any substance or material excluding snow or ice clinging to vehicles due to winter conditions, from being deposited by becoming loose or detached from the tires or any other part of a vehicle whether the vehicle is moving or stationary;
- (jj) “truck loading zone”** means a space or section of the roadway so marked with a sign or other marking authorized by the C.A.O. or his authorized designate permitting parking for the period of time reasonably necessary to load or unload goods, materials or merchandise;
- (kk) “truck route”** means a highway within the Town upon which the operation of Heavy Vehicles is permitted, and which has been designated as such in this Bylaw;
- (ll) “vehicle”** means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid;
- (mm) “vehicle storage area”** means any area which is at least one hundred and fifty (150) metres away from the nearest residential, institutional or assembly occupancy, and that has been so designated and approved by the C.A.O. or his authorized designate;

3. TRAFFIC CONTROL DEVICES AND AUTHORITY TO PLACE

- 3.1 Pursuant to section 110 of the Act, the C.A.O. is hereby delegated the authority to place, erect, display or alter traffic control devices at such locations within the Town as he may determine, or as Council may by resolution direct, for the purpose of controlling and regulating traffic,



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

including, but not limited to, the following specific purposes:

- (a) To divide the surface of a roadway into traffic lanes marked by solid or broken lines;
- (b) To prohibit “U” turns at any intersection
- (c) To designate any intersection or other place on a highway as an intersection or place at which to left hand turn or right hand turn shall be made;
- (d) To designate as a one way street any roadway or portion thereof;
- (e) To designate “School Zones” and “Playground Zones”;
- (f) To designate roadways or portions thereof as truck routes, parking lots, and vehicle storage areas;
- (g) To set apart as a “through-street” any roadway or part of a roadway and to control entry to any roadway by means of a “stop” sign or “yield” sign;
- (h) To designate a crosswalk upon any roadway;
- (i) To designate “parking” zones, passenger and truck loading zones, disabled parking zones, “no parking” and “no stopping” zones and the times and days when the restrictions of such zones are in effect;
- (j) To close or restrict the use of any highway, or any part of any highway, either as to the full width or as to part of the width with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians;
- (k) To prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public place or any portion thereof during such hours as he may determine;
- (l) To designate and mark guidelines for parking on any highway or other public place or any portion thereof;
- (m) To indicate the maximum speed limits for any roadway;
- (n) To designate a roadway or certain portion of a roadway as a “Truck Route”
- (o) To issue a permit for a heavy vehicle to be operated on a roadway or a portion of a roadway not designated as a “truck route”, subject to such restriction including, but not limited to, dates, times and purposes. A request for such permit may be refused and such refusal may be appealed in writing to Council.

3.2 The C.A.O. or his authorized designate is hereby delegated the authority to place, or cause to be placed, temporary traffic control devices prohibiting the parking of vehicles on a roadway for snow clearing and maintenance purposes at least 12 hours prior to such clearing or maintenance.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- 3.3 The C.A.O. or his authorized designate is hereby delegated the authority to designate the location of traffic control devices and traffic control signals and undertake the placement of same.
- 3.4 The C.A.O. or his authorized designate shall cause a report to be kept of the location of all traffic control devices placed pursuant to this section and this record shall be open to public inspection during normal business hours.
- 3.5 Traffic control devices placed and located pursuant to this section are deemed to have been made pursuant to this Bylaw.
- 3.6 Notwithstanding any provision of this Bylaw all traffic control devices placed, erected or marked along highways located in the Town prior to the passing of this Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant to the provisions of section 3.1 of this Bylaw.

4. TEMPORARY CLOSING OF ROADWAYS

- 4.1 In any case where, by reason of any emergency or any other special circumstances, it is the opinion of the C.A.O. or his authorized designate that it is desirable and in the public interest to do so, the C.A.O. or his designate may:
 - (a) Temporarily close within the Town, any roadway, sidewalk, boulevard or public parking lot, in whole or in part, to traffic;
 - (b) Temporarily suspend parking privileges granted by the provision of this or any other bylaw and take such measures necessary for the temporary closing of such roadways, sidewalks, boulevards or public parking lots or suspension of parking and place barricades or post appropriate notices on or near the roadways, sidewalks, boulevards or public parking lots concerned;

5. SPEED LIMITS

- 5.1 Unless otherwise directed by posted Traffic Control Devices no person shall drive a vehicle at a speed in excess of fifty (50) kilometres per hour on any roadway within the Town.
- 5.2 The C.A.O. or his authorized designate may, by signs posted along a roadway, temporarily fix a maximum speed greater or lesser than the speed prescribed by the Regulations and Section 5.1 of this Bylaw. Such designation is for a maximum of 90 days. In all cases, Council must give final approval to make the maximum speed permanent.
- 5.3 Notwithstanding section 5.1, no person shall drive a motor vehicle in any alley at a greater speed than twenty (20) kilometres per hour.
- 5.4 The C.A.O. or his authorized designate may by signs posted along a roadway, fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

6. PARKING RESTRICTIONS AND PROHIBITIONS

6.1 GENERAL PROVISIONS

- (a) The parking prohibitions and restrictions provided in sections 44 through 49 of the Regulations apply within the Town and may be enforced through the issuance of a violation ticket by a Peace Officer.
- (b) A Peace Officer or other person authorized to enforce this Bylaw is hereby authorized to place an erasable chalk mark on the tread face of the tire of a parked vehicle, and to issue and place a violation ticket upon a parked vehicle, without that person or the Town incurring any liability for doing so.
- (c) Except when actively engaged in loading or unloading passengers, no person shall park or stop a vehicle in a passenger loading zone.
- (d) Unless authorized by special permit approved by the C.A.O. or his authorized designate, no person shall park or stop a vehicle in a truck loading zone for a period of time longer than twenty (20) minutes.
- (e) No person shall park a vehicle in an alley except for such period of time as may be reasonable necessary for the loading or unloading of passengers or goods from a vehicle, and in any case not longer than one (1) hour.
- (f) Except for section 6.1(f), no person shall park a vehicle in an alley in a manner that obstructs the safe passage of other vehicles along the alley.
- (g) No person shall park any unattached trailer, whether designed for occupancy or for the carrying of goods and equipment, upon any roadway except for the purpose of loading or unloading for a period not to exceed forty-eight (48) hours, and only if it is located on that portion of the roadway that lies immediately adjacent to the property it is being loaded from or unloaded to, and is parked in the same direction of travel with no slides extended. At the expiration of the forty-eight (48) hour period, the trailer must be moved to an off-roadway location for a period of not less than forty eight (48) hours.
- (h) Where any type of motor vehicle has removable camping accommodation installed on it, the operator or owner of the vehicle shall not remove and leave the camping accommodation on or extending over any sidewalk, boulevard, alley or any portion of the roadway.
- (i) No person shall park any commercial licensed vehicle, of any design capacity of more than one (1) tonne, including but not limited to a truck, bus, trailer, or delivery van, on any roadway in a residential area except when such vehicle is actively engaged in bona fide delivery, transport, or other similar activities.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (j) No person shall park any vehicle on a roadway or public parking lot owned by or in the care, custody and control of the Town of Rimbey, unless otherwise provided for in this Bylaw for a period exceeding 72 hours.
- (k) No person shall park any vehicle or unattached trailer in the parking lots designated for attendees of the Rimbey Aquatic Centre, Peter Lougheed Community Centre or the Town Office except for the express purpose of attending the Rimbey Aquatic Centre, Peter Lougheed Community Centre or the Town Office.
- (l) No person shall park any vehicle on any portion of a highway in the Town in such a manner as to constitute a hazard to other persons using the highway, including those using a sidewalk.
- (m) No person shall park any vehicle upon any land owned by the Town which the Town uses or permits to be used as a playground, recreation area, public park and green space except on such parts clearly signed or otherwise authorized by the C.A.O. for vehicle parking.
- (n) Where parking lines are visible on a roadway or parking lot no person shall park a vehicle except within the limits of the lines designating the parking stall.
- (o) Except in the case of sudden vehicle breakdown, a person shall not stand or park any vehicle on any portion of a highway in the Town for the purpose of servicing or repairing the vehicle.
- (p) The Town, after clearly posting or signing a roadway or public parking lot a minimum of twelve (12) hours prior may cause a roadway or public parking lot to be cleared of vehicles for the purpose of street cleaning, snow removal or highway repairs. In such cases, the Town may tow and impound vehicles blocking street cleaning or repair equipment at the vehicle owner's risk and expense.
- (q) No person shall park a vehicle in an angle parking zone where such vehicle exceeds 6.2 metres in overall length.
- (r) No person shall park a vehicle on a roadway or parking lot with the motor running in such circumstances and location as to cause a disturbance to residents within the area.
- (s) No person shall park an unregistered vehicle or a vehicle without a license plate on a public roadway or parking lot within the town limits of Rimbey.

6.2 DISABLED PARKING

- (a) The C.A.O. is hereby authorized to establish, sign or otherwise designate such parking stalls or zones within the Town as he deems necessary for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services.
- (b) The owner, tenant, occupant or person in control of private property within the Town to which vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of vehicles bearing a valid disabled placard or



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

license plate issued or recognized by the Registrar of Motor Vehicle Services. The signage or markings used to so designate such parking spaces shall be in a form similar to that approved and used by the C.A.O.

- (c) No person shall park or stop a vehicle which does not display a disabled placard or license plate that is issued or recognized by the Registrar of Motor Vehicle Services in a parking space clearly signed or otherwise designated pursuant to sections 6.2(a) or 6.2(b) of this Bylaw.

6.3 PARK CAUSING OBSTRUCTION

- (a) (i) No person shall park a vehicle on a sidewalk, boulevard, or median except, under special circumstances and by request to the Town, when authorized by the Chief Administrative Officer.

(ii) Where permission is granted pursuant to Section 6.3 (a)(i), any resultant damage will be the responsibility of the owners of the vehicle.

- (b) No person shall park a vehicle in such a manner as to obstruct or interfere with an entrance or exit of any public or commercial building open to the general public.
- (c) No person shall park a vehicle in such a manner as to obstruct or interfere with an entranceway to any fire hall or ambulance station or hospital.
- (d) No person shall park a vehicle in such a manner as to obstruct or interfere with the use of a doorway intended as a fire or emergency exit from any building.
- (e) No person shall park a vehicle in front of or in any manner so as to prevent access to and collection of refuse collection container, bin or garbage storage area. This does not apply to sidewalk litter bins for general use.

6.4 SECOND AND SUBSEQUENT PARKING OFFENCES

- (a) For timed parking offences under paragraph 6.1 of this Bylaw, second and subsequent offences are deemed to have been committed when a vehicle that has been issued a violation ticket remains parked in contravention of the Bylaw for a second or further period of time in excess of the maximum time allowed.
- (b) For all other offences under this section, second and subsequent offences are deemed to have been committed when a vehicle that has been issued a violation ticket remains parked in contravention of the Bylaw 24 hours after the violation ticket was issued.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

7. OPERATION OF VEHICLES

- 7.1 No person shall ride a bicycle or use roller blades or a skateboard on a roadway, sidewalk, boulevard or median in a manner that is unsafe or that interferes with pedestrian or motor vehicle traffic.
- 7.2 No person shall ride, pull or use a sled, toboggan, skis or wagon on a roadway
 - (a) Where a sidewalk parallels such roadway and it is reasonable and practicable to use the sidewalk, or
 - (b) Where there is no sidewalk paralleling the roadway, in any manner that interferes with, obstructs or is hazardous to vehicular traffic on the roadway.
- 7.3 (a) No person shall drive a motor vehicle on a boulevard, median, playground, recreation area, public park, green space, bicycle trail, nature trail or nature preserve except as permitted by a traffic control device or, under special circumstances and by request to the Town, when authorized by the Chief Administrative Officer.
 - (b) Where permission is granted pursuant to Section 7.3 (a) any resultant damage will be the responsibility of the owners of the vehicle.
- 7.4 No person shall drive, operate or permit to be driven or operated, any vehicle or equipment in such a manner as to track upon a roadway.
- 7.5 Any person who tracks upon a roadway shall, in addition to the penalty, be liable to clean up or remove the substance or material tracked upon the roadway, in default of which the Town may arrange for clean up or removal of such substance or material at the expense of the person tracking or the owner or registered owner of the equipment from which the substance or material was tracked.
- 7.6 No person shall, driving a motor vehicle approaching an intersection controlled by a traffic light, stop sign or other traffic control device, exit the roadway onto private or public property and continue onto the same roadway or an intersection roadway for the purpose of avoiding the traffic control device.

8. PEDESTRIANS

- 8.1 A pedestrian shall not cross any roadway within the Town, other than an alley, except within a marked or unmarked crosswalk.
- 8.2 No person shall stand on any roadway, crosswalk or sidewalk in such a manner as to:
 - (a) Obstruct vehicular or pedestrian traffic;
 - (b) Annoy or inconvenience any other person lawfully upon such roadway, crosswalk or sidewalk; or
 - (c) Obstruct the entrance to any building.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

9. PARADES, PROCESSIONS AND SPECIAL EVENTS

- 9.1 Any person that intends to hold a parade, procession, race or special event involving a roadway, sidewalk, boulevard, median or town parking lot within the Town of Rimbey shall at least thirty (30) days prior to the scheduled date, make application in writing to the C.A.O. for permission and in such application shall furnish to the C.A.O. information with respect to the following, namely:
- (a) The name and address of the applicant, and if such applicant is an organization, the names, addresses of the executive thereof.
 - (b) The nature and purpose of such parade, procession, race or special event.
 - (c) Dates and times.
 - (d) The intended route.
 - (e) The approximate number of persons who will take part.
 - (f) The approximate size, number and nature of flags, banners, placard or such similar things to be carried and particulars of such signs, inspections and wording to be exhibited thereon; and such written application shall bear the signatures and addresses of the persons who will be in control of such parade or procession and who undertake to be reasonable for the good order and conduct thereof.
- 9.2 The C.A.O. may either grant permission, with or without conditions, or refuse permission for any reasons that are determined to be appropriate concerns in all the circumstances. In the case of a refusal the applicant has a right of appeal to Council, who may grant or refuse permission for the parade.
- 9.3 If a refusal for an application for permission to hold a parade is appealed to Council pursuant to section 9.2, Council may:
- (a) Grant permission without conditions;
 - (b) Grant permission with conditions; or
 - (c) Refuse permission
- 9.4 Where permission has been granted pursuant to sections 9.2 or 9.3, the C.A.O. shall fix the hour and route of the parade or procession and may require to be erected temporary barriers or traffic control devices as he deems necessary.
- 9.5 If any funeral procession is in process of formation or proceeding along any roadway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles shall obey the order and direction of the Peace Officer so regulating traffic.
- 9.6 Before a funeral procession enters upon, crosses or turns into a roadway designated and marked as a through-street by a stop or yield sign, the first vehicle in the funeral procession shall come to a complete stop in the manner required by the Regulations and shall not drive the vehicle into the intersection until it is safe to do so. A vehicle that follows in the funeral procession may then enter into the intersection



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

without stopping provided the headlamps are alight. The provisions of this section shall not apply at an intersection where traffic is controlled by a Peace Officer or by a traffic control signal.

- 9.7 Except for funeral processions, no person shall hold or organize any parade, procession, race or special event unless permission has been first granted by the C.A.O. or Council pursuant to this section.
- 9.8 No person driving any vehicle, or riding or driving a horse, shall drive or ride through, nor shall any pedestrian walk through, the ranks of a military or funeral procession (the vehicles of which have their lights on) nor through the ranks of another authorized parade or processions, or in any way obstruct, impede or interfere with the same.
- 9.9 No person shall take part in the organization of a parade or procession or participate in a parade or procession, which is conducted without permission having first been granted pursuant to the provision of this Bylaw.
- 9.10 No person shall carry out or allow or cause to be carried out a parade or procession that does not conform to conditions imposed in a permit issued by the C.A.O. or his authorized designate.
- 9.11 Nothing in this section waives the requirement to obtain a permit through any other permit authorizing body, Provincial, Federal or otherwise for any parade, procession or special event. Ex. – Special Events permit through Alberta Transportation.

10. FIRES AND FIRE LINES

- 10.1 In case of a fire within the Town, any Peace Officer or member of the Ponoka County Regional Fire Services may designate in any manner a line or lines near the location of the fire beyond which no member of the public shall pass, and no unauthorized person, whether on foot or in a vehicle shall cross such line or lines.
- 10.2 The Ponoka County Regional Fire Services Fire Chief or any person acting under his/her direction is hereby empowered to move or cause to be moved any vehicle which he may deem necessary for the purpose of carrying out any duty, work or undertaking of the Ponoka County Regional Fire Services Fire Department.
- 10.3 No person shall fail or refuse to comply with any traffic control device or direction of a Peace Officer or of any officer of the Ponoka County Regional Fire Services Fire Department at the scene of a fire or other emergency.

11. HEAVY AND OVER DIMENSION VEHICLES AND TRUCK ROUTES

- 11.1 No person shall operate a heavy vehicle, excluding a motor home, on a roadway or public parking lot owned and operated by the Town except on a designated truck route as outline in Schedule “B” of this Bylaw, the Schedule being hereby incorporated into and made part of this Bylaw.
- 11.2 The following shall be deemed not to be operating or parking a heavy vehicle in contravention of section 11.1 if the heavy vehicle was being operated on the shortest route between the delivery, pick-up or other location concerned and the nearest route by:
 - (a) A person delivering or collecting goods, materials or merchandise to or from the premises of a bona fide customer;



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (b) A person going to or from the business premises of the owner of the heavy vehicle, a heavy vehicle repair or maintenance facility, or an approved "vehicle storage area" for heavy vehicles;
- (c) A person towing a disabled vehicle from or along a roadway prohibited to heavy vehicles; and
- (d) A person actively engages in lawful public works requiring him by the very nature of such work to deviate from established truck routes.
- (e) A person traveling by the most direct route to their place of residence and parking the heavy vehicle on private land off the roadway.

12. MAXIMUM WEIGHTS OF VEHICLES

- 12.1 No person shall drive or park upon any roadway within the Town a vehicle or combination of attached vehicles with a weight, including or excluding any load thereon, in excess of maximum weight.
- 12.2 A person driving or in charge or control of a vehicle or combination of attached vehicles suspected by a Peace Officer of being on a roadway in contravention of section 12.1 shall, when requested by the Peace Officer, produce for such officer's inspection any official registration certificate or interim registration for such vehicle or vehicles that may have been issued by the Province of Alberta showing the maximum weight of such vehicle or combination of attached vehicles.

13. SNOW, ICE, DIRT, DEBRIS

- 13.1 All persons within the Town of Rimbey owning, controlling, or occupying property that adjoins any sidewalk shall remove or cause to be removed and cleared away all snow, ice, dirt, debris or other material from any sidewalk adapted to the use of pedestrians. Such removal shall be completed when the snow is 2.5 centimetres or greater within 48 hours from the time that the snow, ice, dirt, debris, or other material was formed or deposited there.

- 13.2 The Business District shall be identified as:

- East/West Highway 53 extending east to Highway 20 and west to the Town limits.
- South of 4 way stop to 45th ave;
- North of 4-way stop to 51 ave;
- 50th street from 49th ave to 52nd ave;
- 49th ave from 49th street to 51 street;
- 49th street from 50th ave to 48th ave.

- (a) Businesses
 - (i) Businesses are permitted to shovel their sidewalk to curb edge;
 - (ii) Snow will be removed as per Road Priorities 2;
 - (iii) Businesses engaging contractors to clear their lots will NOT be allowed to push snow from their properties, onto roadways, and/or Town property;



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- (b) Contractors are allowed access to the Town's snow storage site at no charge and must phone ahead to make arrangements.

13.3 Contractors

- (a) Contractors hauling snow to the Town snow storage site must have commercial equipment, insurance satisfactory to the Town and use at their own risk.

13.4 Any person who fails to comply with sections 13.1, 13.2 or 13.3 is guilty of an offence and may be issued a violation ticket by a Peace Officer in an amount specified in this Bylaw.

13.5 In default of any person complying with sections 13.1, 13.2 or 13.3 above, and in addition to any other remedy available to the Town of Rimbey for noncompliance with this Bylaw, the Town may arrange to have the sidewalk cleared and any cost thereof shall be paid to the Town upon demand and failing payment, such cost shall be charged against the property as a special assessment.

13.6 No person shall remove snow, ice, dirt, debris or other material from a sidewalk or private property by causing it to be placed on any other portion of a highway or on any private property other than their own except to the extent that removal of the snow or ice to private property is impractical.

13.7 No person shall place or permit to be placed any snow, ice, dirt, debris or other material removed from private property on to a highway or other public place in the Town of Rimbey.

13.8 At all times, Snow Clearing Equipment and Street Sweeping Equipment of the Town of Rimbey, and or Contractors hired by the Town of Rimbey, shall have the right of way on Rimbey streets unless so directed by a Peace Officer or a Traffic Flag Person.

14. MISCELLANEOUS RESTRICTIONS AND PROHIBITIONS

14.1 No person shall allow the engine or motor of any stationary vehicle

- (a) In a residential area, or
- (b) In any other area where prohibited by traffic control device

to remain running for a period of time longer than twenty minutes.

14.2 No person shall place an electrical cord on or above a roadway or above a sidewalk unless it is a minimum height of 2.5 metres above the sidewalk.

14.3 No person shall, while clearing a sidewalk, use power driven equipment, or any other tools or equipment, or any other material, unless the use of such equipment does not result in damage to the sidewalk.

14.4 No person shall wash, service or repair a vehicle on any roadway, sidewalk, boulevard or median within the Town.

14.5 No person shall wash, repair, or service a vehicle near any roadway, sidewalk, boulevard or median within the Town in a manner that allows



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

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- soap suds, mud, cement, refuse, debris, tar, oil, grease, antifreeze or other vehicle fluids to flow onto or enter upon the roadway, sidewalk, boulevard or median or enter any storm water system.
- 14.6 No person shall park a vehicle on a roadway or public parking lot within the Town that, due to the state of the vehicle, results in mud, cement, refuse, debris, tar, oil, grease, antifreeze or other vehicle fluids being deposited upon the roadway or public parking lot or enter a storm water sewer system.
- 14.7 Where an offence under section 14.3, 14.4 14.5 or 14.6 occurs resulting in damage to a roadway, sidewalk, boulevard or median or other town property or resulting in spillage or deposit of dirt, gravel, vehicle fluids or other material on a roadway, sidewalk, boulevard or median, notice may be given to
- (a) The person responsible, or
 - (b) In cases involving a vehicle, to the registered owner of the vehicle, or
 - (c) If the offence occurred on private property, to the occupant or owner of the private property to take reasonable cleanup or damage repair measures.
- 14.8 No owner or occupant of private property located at an intersection of roadways, excluding an intersection with an alley, shall allow any vegetation within the triangular portion of the property closest to the intersection, measured from the corner of the intersection to a distance of eight (8) metres each direction along the edge of the curb or, in the absence of a sidewalk, the edge of the roadway, to grow to height greater than one (1) metre or, in the case of trees or shrubs overhanging the portion of the property, to a height less than two (2) metres.
- 14.9 No owner or occupant of private property shall allow any vegetation overhanging a sidewalk, boulevard, roadway or alley to reach a height less than four (4) metres above the sidewalk, boulevard, roadway or alley.
- 14.10 No owner or occupant of private property in the Town shall park a vehicle or build, place, erect or continue the existence of a fence, wall, dirt pile, snow pile or other object adjacent to and within eight (8) metres of the nearest corner of a street intersection when such vehicle, fence, wall, dirt pile, snow pile or other object interferes with good visibility for safe traffic flow.
- 14.11 Where an offence under sections 14.8, 14.9, or 14.10 occurs, notice may be given to the occupant or owner of the private property requiring remedial action to bring the property within compliance of this bylaw.
- 14.12 No person shall place or deposit, or allow the placement or deposit, of any object, refuse, building or other materials dumpsters, snow, boulevard, earth, sand, gravel, sod, or any other matter on a roadway, sidewalk, boulevard or median within the Town, excepting vehicles and materials for which specific permission has been granted by the C.A.O..
- 14.13 Where an offence under section 14.2 occurs, notice may be given to the occupant or owner of the property adjacent to where the materials were placed to take specific remedial action.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- 14.14 A notice issued pursuant to this Bylaw shall specify:
- (a) The civic address or physical location where remedial action is required;
 - (b) The condition that is not in compliance with the Bylaw, including reference to the applicable provision of the Traffic Bylaw;
 - (c) Remedial action required;
 - (d) A deadline for compliance.
- 14.15 Any notice served pursuant to this Bylaw will be deemed to have been sufficiently served in the case of an offence involving a vehicle
- (a) If left at a conspicuous location on the vehicle;
 - (b) If mailed by regular or registered mail to the registered owner of the vehicle using the address on record with the Alberta Motor Vehicle Branch;
 - (c) If given verbally, including all information as required in section 14.14, by a Peace Officer and directed to the registered owner of the vehicle.
- 14.16 Any notice served pursuant to this Bylaw will be deemed to have been sufficiently served in the case of an offence involving private property:
- (a) If served personally upon the person to whom it is directed, or
 - (b) If posted at a conspicuous location on the property, or
 - (c) If mailed by regular or registered mail to the address of the person to whom the notice was directed, or to the owner of the private property involved using the address on record with the Town of Rimbey, or
 - (d) If given verbally, including all information as required in section 14.14, by a Peace Officer and directed to the occupant or owner of the private property involved.
- 14.17 No person shall fail to satisfactorily comply with a notice issued pursuant to sections 14.7, 14.11, or 14.13 of this bylaw within the specified deadline.
- 14.18 In the case of the owner of a vehicle or owner or occupant of private property failing to comply with a notice issued pursuant to any provision of this Bylaw, the Town may do the work at the expense of the owner of the vehicle or the owner or occupant of the private property.
- 14.19 In cases involving owners of private property, the expenses incurred by the Town for the work done, where applicable, may be recovered with costs by action in court of competent jurisdiction or in a like manner as municipal taxes.
- 14.20 Where, pursuant to this Bylaw, work is done at the expenses of the owner of a vehicle or owner or occupant of private property, the owner or occupant may appeal to Council to have the expenses cancelled.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

14.21 No person other than the owner or driver of a vehicle will remove a notice issued pursuant to the Bylaw affixed to the vehicle.

14.22 No person other than the occupant or owner of private property will remove a notice issued pursuant to this Bylaw affixed to a conspicuous location on a private property.

15. OFF HIGHWAY VEHICLES/PROHIBITED OPERATION

15.1 A person who can lawfully operate an off highway vehicle may operate the vehicle within the corporate limits of the Town only on the most direct route from a residence to the nearest exit from the Town at a location of legal off highway use providing the vehicle is operated as follows:

- a) Travel at a speed less than (20) twenty kilometres per hour
- b) Does not drive or operate the vehicle on parkland or a sidewalk or boulevard
- c) Travels in rear lanes only, except where there is no lane, then on the most right portion of a highway
- d) an off highway vehicle shall yield right of way to all other users of the road including pedestrians
- e) An off highway vehicle shall not be operated between the hours of 10:00 pm and 7:30 am (22:00 hrs. and 0730 hrs.)
- f) An off highway vehicle operator does so at his/her own risk and the Town does not warrant any area of the Town suitable for off highway vehicle use.

15.2 Off highway vehicles are permitted to operate on a highway solely for the purpose of loading or unloading an off highway vehicle from or onto a trailer or vehicle or into a building or property.

15.3 No person shall operate an off highway vehicle within the corporate limits of the Town of Rimbey unless the operator and passengers are wearing safety approved helmets.

15.4 No person under the full age of fourteen (14) years shall operate an off highway vehicle in the corporate limits of the Town of Rimbey.

15.5 No person who is an owner or in care and control of an off highway vehicle shall allow any person under the full age of fourteen (14) years to operate an off highway vehicle within the corporate limits of the Town of Rimbey.

15.6 The provisions of this bylaw shall not apply to a Peace Officer or an employee of the Town operating a vehicle in the performance of a duty.

15.7 Where an off highway vehicle is used in contravention of this Bylaw, and the operator or driver cannot be identified, the owner of the vehicle shall be responsible for the contravention.

- a) "Owner" in this section means the registered owner as listed on a certificate of registration.
- b) If the vehicle is unregistered then the owner as listed on a bill of



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

sale or other documentation accepted as proof of ownership.

- 15.8 The Owner of the off highway vehicle must carry liability insurance.
- 15.9 A Peace Officer may seize and impound any off highway vehicle, for a maximum of thirty (30) days, at the owner's expense, that is subject of an offence under this Bylaw if the Peace Officer believes on reasonable and probable grounds that the seizure and impoundment is necessary to prevent a continuation of an offence.

16. PENALTIES AND ENFORCEMENT PROCEDURES

- 16.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not less than THREE HUNDRED DOLLARS (\$300.00) and not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500.00) and in default of payment is liable to imprisonment for a term not exceeding SIX (6) MONTHS.
- 16.2 Where a Peace Officer believes that a person has contravened any provision of the Bylaw, or sections 44 through 49 of the Regulations, he may serve upon:
- (a) Such person a Violation Ticket referencing the section contravened; or
 - (b) The registered owner of the motor vehicle a Violation Ticket referencing section 160(1) of the Act and the section of the Bylaw or Regulations contravened;

In accordance with the provisions of the Provincial Offences Procedure Act, R.S.A.2000, c. P-34.

- 16.3 The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this Bylaw.
- 16.4 A Peace Officer may tow and impound at owner's risk and expense, any vehicle found to be parked in contravention of the provision of this Bylaw or the parking provisions of the Regulations.
- 16.5 The specified penalty payable in respect of a contravention of a provision of this Bylaw is as provided for in Schedule "A" of this Bylaw
- 16.6 The specified penalty payable in respect of a contravention of a parking provision of the Regulations is as provided for in the Procedures Regulation (A.R.233/1989) made pursuant to the Provincial Offences Procedures Act, R.S.A. 2000, c. P-34, and must include the required Victims of Crime Act surcharge.
- 16.7 Notwithstanding section 15.2, in lieu of prosecution, a Peace Officer may issue a Parking Violation ticket, in a form as approved by the C.A.O., referencing the section of the Bylaw or Regulation contravened, to the alleged offender, or to the registered owner of any vehicle involved in a contravention of this Bylaw or the parking provisions of the Regulations.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

- 16.8 Service of any such Parking Violation ticket shall be sufficient if it is:
- (a) Personally served;
 - (b) Served by regular mail; or
 - (c) Placed on or attached to the vehicle involved in the contravention of this Bylaw or the parking provisions of the Regulations.
- 16.9 The penalty payable to the Town in lieu of prosecution in respect of a contravention of this Bylaw or the parking provisions of the Regulations, to be indicated on any such Parking Violation ticket issued is the amount provided for in Schedule "A" of this Bylaw, Schedule being hereby incorporated into and made part of this Bylaw.
- 16.10 A person who has been issued a Parking Violation ticket pursuant to the provisions of this Bylaw, and who has fully paid the penalty as indicated to the Town within the time allowed for payment, shall not be liable to prosecution for the subject contravention.
- 16.11 No person, other than the owner or driver of a vehicle, shall remove a Parking Violation ticket placed on or attached to such vehicle by a Peace Officer in the course of his/her duties.
- 16.12 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this bylaw.

17. GENERAL

- 17.1 It is the intention of the Council of the Town that each provision of this Bylaw should be considered a being separate and severable from all other provisions. Should any section or provision of this Bylaw be found to have been improperly enacted, then such section or provision shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall remain effective and enforceable.
- 17.2 It is the intention of the Council of the Town that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.
- 17.3 Whenever the singular and masculine gender is used in this Bylaw, the same shall include the plural, feminine and neuter gender whenever the context so requires.
- 17.4 Schedules "A" and "B" may, from time to time, be amended by a resolution of Council.

18. REPEAL

- 18.1 Town of Rimbey Bylaws 530/63, 134/70, 545/88, 847/09, 710/00, 872/11 and 909/15 are hereby repealed.

BYLAW NO. 951/18



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

NOW THEREFORE

PART III - EFFECTIVE DATE

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Second Time in Council this ____ day of _____ 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Third Time and Finally Passed this _____ day of __, 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

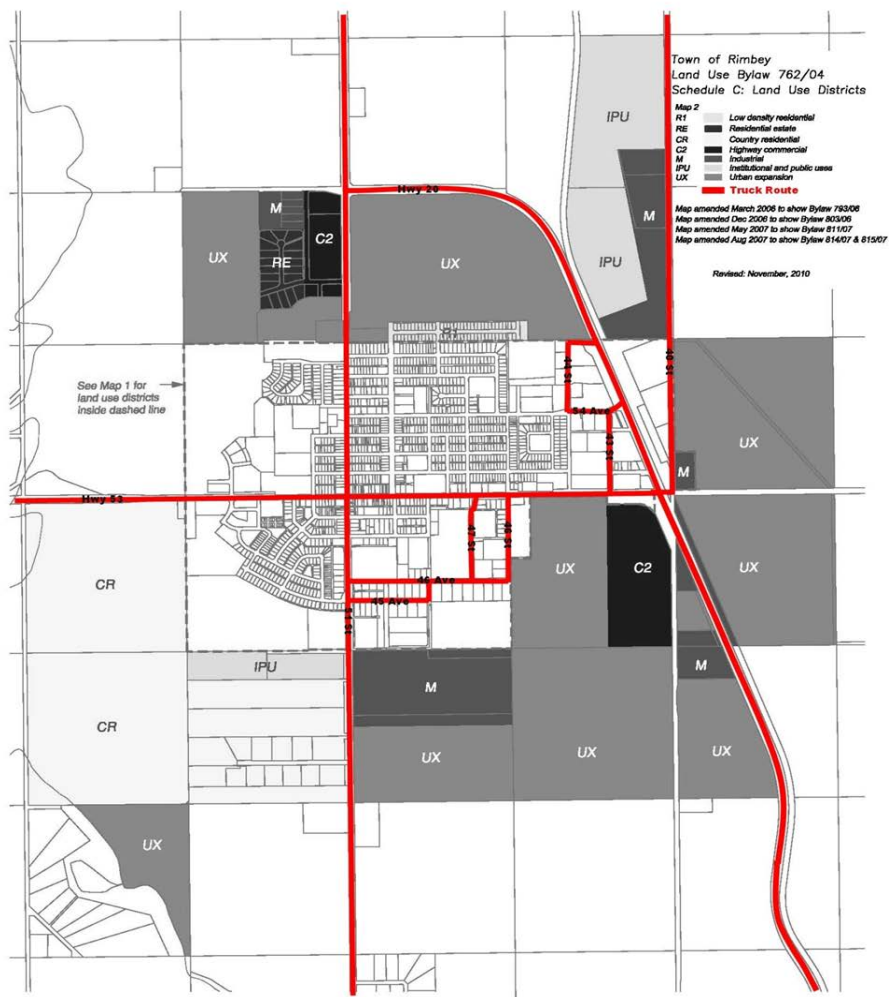


A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF PARKING AND THE USE OF HIGHWAYS THROUGHOUT THE MUNICIPALITY.

SCHEDULE "A" – VIOLATIONS AND PENALTIES

Section	Description of Offence	Penalty
15.1	All Bylaw sections not specified in this Schedule	\$300.00
12.1	Drive or park vehicle in excess of maximum weight	\$500.00

SCHEDULE "B" TRUCK ROUTE MAP





A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

WHEREAS

Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws respecting nuisances and dangerous and unsightly premises;

WHEREAS

The Council of The Town of Rimbey, duly assembled enacts as follows:

NOW
THEREFORE

BYLAW TITLE

This Bylaw may be cited as the "Nuisance Bylaw".

2. DEFINITIONS

2.1 In this Bylaw unless the context otherwise requires:

- a) **"boulevard"** means that part of a highway that;
 - (i) is not a roadway; and
 - (ii) is that part of the sidewalk that is not especially adapted to the use or ordinarily used by pedestrians.
- b) **"C.A.O."** means the Chief Administrative Officer of the Town of Rimbey.
- c) **"Development Authority"** means a person appointed as a Development Authority pursuant to the provisions of Town of Rimbey Land Use Bylaw, and amendments thereto.
- d) **"dwelling"** means a permanent structure designed or manufactured primarily for the occupation or living quarters for people and includes mobile homes.
- e) **"explosive substance"** means and includes;
 - (i) anything intended to be used to make an explosive substance;
 - (ii) anything or any part thereof, used or intended to be used, or adapted to cause, or to aid in causing an explosion in or with an explosive substance, and;
 - (iii) an incendiary grenade, fire bomb, Molotov cocktail, or similar incendiary substance or device and a delaying mechanism or other thing intended for use in connection with such a substance or device.
- f) **"non-operational vehicle"** means any motor vehicle or part of a motor vehicle which is unlicensed, or uninsured, or derelict, or not in a state to legally travel on a highway.
- g) **"nuisance"** means any use or activity upon any property which is offensive to any person acting reasonably, or has or may be reasonably expected to have a detrimental impact upon any person or other property in the neighborhood and without limiting the generality of the foregoing, includes the following:



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

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- (i) grass and/or weeds in excess of twenty (20) centimeters;
 - (ii) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds pursuant to the Weed Control Act S.A. 2008, c.W-5.1 and amendments thereto;
 - (iii) the causing of opaque, dense, toxic or noxious smoke and permitting such smoke to be emitted to the atmosphere, as determined by the Peace Officer, unless specifically authorized by Council;
 - (iv) the burning of anything other than preservative or chemical free wood or wood products within an acceptable fire pit or fireplace meeting the standards of the Town of Rimbey Land Use Bylaw and amendments thereto.
 - (v) the generation of excessive dust and permitting such dust to escape from the property;
 - (vi) the emission of an unpleasant odor and permitting such odor to escape from the property;
 - (vii) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
 - (viii) the failure to control or eliminate insect pests harmful to the growth and development of any trees, shrubs, vegetable or plant life;
 - (ix) the storage or accumulation of dilapidated vehicles or the storage of vehicles contrary to the Land Use Bylaw;
 - (x) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, scrap metals, scrap lumber, cardboard, tires, motor vehicle parts or scrap building materials;
 - (xi) the failure to dispose of or to prevent the spread or scattering of any rubbish or garbage accumulated upon any property, including but not limited to;
 - (a) any rubbish, refuse, garbage, paper, packaging, containers, bottles, cans,
 - (b) rags, clothing, petroleum products, manure, human or animal excrement,
 - (c) sewage or the whole part of an animal carcass; or
 - (d) the whole or a part of any article, raw or processed material, vehicle or other machinery that is disposed of;
 - (e) animal or vegetable matter, including materials resulting from the handling, preparation, cooking, consumption and



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

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- storage of food;
 - (f) building waste;
 - (g) garden waste;
 - (h) anything that is designated as waste in the regulations under the Environmental Protection & Enhancement Act R.S.A. 2000, c. E-12 and amendments thereto.
 - (xii) the posting or exhibiting of posters, signs, billboards, placards, writings or pictures on any fence, wall, or property, where the same are accumulated and become in a dilapidated condition.
 - (xiii) the failure to remove graffiti off any buildings, structures, fences etc. within a period of at least two (2) weeks, or a longer period as determined by the Peace Officer.
 - h) **“Peace Officer”** means any member of the RCMP, a Peace Officer and a Bylaw Enforcement Officer or any other person designated by the CAO.
 - i) **“person”** includes any owner, agent, lessee or occupier including a corporation and their heirs, executors, administrators or other legal representative of a person or corporation.
 - j) **“premises”** means and includes all land, buildings, excavations, structures and appurtenances thereto.
 - k) **“recreational vehicle”** means any vehicle, trailer or anything designed to be carried on a vehicle or trailer that is designed for temporary habitation of people commonly referred to as a holiday trailer, motor home, camper or tent trailer.
 - l) **“sign”** means anything defined as a sign pursuant to the Land Use Bylaw and amendments thereto.
 - m) **“Town”** means the Town of Rimbey.
 - n) **“unsightly condition”** means:
 - (i) in respect of a structure, a structure whose exterior, relative to the adjacent land and land use, shows signs of significant physical deterioration, and
 - (ii) in respect of land, land that shows signs, relative to the adjacent land and land use, of serious disregard for general maintenance and upkeep.
 - o) **“weapon”** means a firearm or any other device that propels a projectile by means of an explosion, spring, air, gas, string, wire or elastic material and any combination of these things.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

3. OFFENCES

3.1 No person being the owner, agent, lessee or occupier of any premises or dwelling within the Town of Rimbey shall permit such premises or dwelling or the activities on such place to be or become a nuisance or be in an unsightly condition.

3.2 No person being the owner, agent, lessee or occupier of any premises or dwelling within the Town of Rimbey shall permit the grass, weeds, or other vegetation on a boulevard adjacent to the subject property to become a nuisance by growing uncontrolled. All property owners or occupants are charged with the responsibility of maintaining the boulevard adjacent to, abutting, or flanking their property.

3.3 No person shall keep a recreational vehicle, in a residential area, in the front yard or in the flanking yard on a corner lot, for a period longer than is reasonably necessary to load or unload the vehicle. The foregoing does not apply between the months of April and October inclusive if;

- a) there is no vehicle access to the rear yard of the lot, and;**
- b) the vehicle will not overhang the sidewalk or road or otherwise create a traffic hazard, and;**
- c) the parking of the vehicle will not, in the Development Authority's opinion, reduce the value or enjoyment of adjacent properties.

3.4 No person shall place an unauthorized sign or a sign contrary to the Land Use Bylaw on any public or private lands.

4. NOISE

4.1 No person shall make, continue or cause or allow to be made or continued any loud, unnecessary or unusual noise or any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons within the Town of Rimbey.

4.2 No person shall allow property belonging to him under his control to be used so that there originates from the property any loud unnecessary or unusual noise which disturbs the comfort or repose of other persons in the vicinity of such property or generally within the limits of the Town of Rimbey.

4.3 A loud noise, an unnecessary noise, an unusual noise or a noise which disturbs, injures, or endangers the comfort, repose, health, peace or safety of others is a question of fact for a Court which hears a prosecution of an offence against Section 6 or 7 of this Bylaw.

4.4 In determining if a sound is reasonably likely to disturb the peace of others the following criteria may be considered:

- a) type, volume and duration of the sound;
- b) time of day and day of week;
- c) nature and use of the surrounding area; and



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

d) any other relevant factor.

4.5 No person shall operate or allow to be operated any sound amplifying equipment from any residence, business premises, vehicle or in any park or other public place so as to unduly disturb residents of the Town.

The above shall not apply to any person or group who has obtained consent or permission from the Council of the Town or from the C.A.O.

4.6 No person shall carry on construction of any kind that can be heard beyond the boundary of the construction site between the hours of 10:00 P.M. (2200 hrs.) and 7:30 A.M. (0730 hrs.).

4.7 No person shall operate any equipment, machinery or mechanical devices or any other tool or device of a noisy nature in a residential area between the hours of 10:00 P.M. (2200 hrs.) and 7:30 A.M. (0730 hrs.).

4.8 Notwithstanding sections 4.6 and 4.7 a Peace Officer, C.A.O. or Town Council may allow construction to be carried on, subject to any restrictions or conditions that they may impose.

4.9 No person shall cause or permit or undertake any activity upon any Town property, which constitutes a nuisance.

4.10 No person who occupies any premises shall keep any kind of animal in excessive numbers so as to cause a health concern, damage to other properties or in the opinion of the Development Authority the keeping of the animals in excessive numbers will reduce the value or enjoyment of adjacent properties.

a) A Provincial Court Judge or Justice of the Peace, in addition to the penalties provided in this Bylaw, may, if he considers the keeping of the excessive number of animals to be serious considering health and property issues, direct or order the owner of the animals to have the animals removed from the Town.

5. WEAPONS AND EXPLOSIVES

5.1 No person shall discharge or use any dangerous weapon, devices, firearm or explosive substance within the corporate limits of the Town of Rimbey.

5.2 No person shall allow property belonging to him or under his control to be used so that there originates from his property the setting off or throwing of any fireball, firecracker, or other fireworks or explosive device within the corporate limits of the Town of Rimbey;

Excepting where special permission is obtained in writing from the CAO outlining any conditions related to the permission for discharge as deemed necessary by Council, notice of which will be transmitted to the Town Peace Officer or the Royal Canadian Mounted Police.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

6. ENFORCEMENT

- 6.1 A person who contravenes this Bylaw is guilty of an offence.
- 6.2 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.
- 6.3 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.
- 6.4
 - a) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation 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.
 - b) if a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership 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.
- 6.5 A Peace Officer is hereby authorized to carry out an inspection to determine compliance with any provision of this Bylaw.
- 6.6 The C.A.O. of the Town or a Peace Officer may, at their discretion, issue a letter or notice to anyone who is in contravention of any section of this Bylaw directing the said person to take any action required so as not to be in breach of the section. The notice or letter may provide a time frame for the person to complete the action.
- 6.7
 - a) Any person who does not comply with a notice or letter is subject to a fine in the amount of \$200.00. A person who commits a second or subsequent offence within a one-year period shall be subject to a fine of \$400.00.
 - b) Notwithstanding 6.7 a), A Provincial Court Judge or Justice of the Peace may set a penalty higher than the specified penalty in this Bylaw, but not to exceed \$2,500.00.
- 6.8 The Town may perform the task or action that any person has not complied with at that person's expense. If the person fails to pay the Town then the amount owing may be added to the person's or owner's taxes.
- 6.9 A Peace Officer is hereby authorized and empowered to issue a violation ticket, pursuant to the Provincial Offences Procedure Act, to any person who the Peace Officer believes on reasonable and probable grounds has contravened any section of this Bylaw.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

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- 6.10 Any person to whom a violation ticket has been issued may make the voluntary payment, if one is offered, by delivering the violation ticket as per instructions on the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw.
- 6.11 A Peace Officer who believes that the breach of any section in this Bylaw is of such a serious nature he may issue an offender with a violation ticket compelling the offender's appearance in court.
- 6.12 Notwithstanding the provisions of this Bylaw, any person who has been issued a violation ticket pursuant to any section of this Bylaw may exercise his right to defend any charge of committing a contravention of any provision of this Bylaw.
- 6.13 A person issued a violation ticket for an offence shall be deemed sufficiently and properly served:
- a) if served personally on the accused;
 - b) if mailed by registered mail to the address of the person who has contravened this Bylaw.

7. SEVERABILITY

- 7.1 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

8. GENERAL

- 8.1 Whenever the singular and masculine gender is used in this Bylaw, the same shall include the plural, feminine and neuter gender whenever the context so requires.

9. REPEAL

- 9.1 Bylaws 470/84, 548/88, 627/95, 736/02, 859/10, and 908/15 are hereby repealed.

10. EFFECTIVE DATE

- 10.1 AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.



A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

READ a First Time in Council this 23 day of October 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Second Time in Council this 23 day of October 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

UNANIMOUSLY AGREED to present this Bylaw for Third & Final Reading.

READ a Third Time and Finally Passed this 23 day of October 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis