



COUNCIL MEETING
MONDAY, SEPTEMBER 24, 2018
7:00 P.M.

**FOR THE REGULAR MEETING OF THE REDCLIFF TOWN COUNCIL
MONDAY, SEPTEMBER 24, 2018 – 7:00 P.M.
REDCLIFF TOWN COUNCIL CHAMBERS**

	<u>AGENDA ITEM</u>	<u>RECOMMENDATION</u>
	1. GENERAL	
	A) Call to Order	
	B) Adoption of Agenda	Adoption
Pg. 4	C) Accounts Payable *	For Information
	2. PUBLIC HEARING	
Pg. 8	A) Bylaw 1868/2018, Smoke Free Bylaw *	
Pg. 16	B) Bylaw 1869/2018, Park, Recreational & Public Areas *	
Pg. 38	C) Bylaw 1870/2018, Business License Bylaw *	
	3. MINUTES	
Pg. 56	A) Council meeting held September 10, 2018 *	For Adoption
Pg. 60	B) Municipal Planning Commission meeting held on September 19, 2018 *	For Information
Pg. 64	C) Redcliff Family & Community Support Services meeting held on September 11, 2018 *	For Information
Pg. 65	D) Redcliff/Cypress Regional Waste Management Authority meeting held September 6, 2018 *	For Information
Pg. 67	E) Municipal Development Plan Steering Committee meeting held September 19, 2018 *	For Information
	4. BYLAWS	
Pg. 69	A) Bylaw 1868/2018, Smoke Free Bylaw *	2 ND / 3 RD Reading
Pg. 112	B) Bylaw 1869/2018, Park, Recreational & Public Areas *	2 ND / 3 RD Reading
Pg. 138	C) Bylaw 1870/2018, Business License Bylaw *	2 ND / 3 RD Reading
Pg. 161	D) Bylaw 1872/2018, Fees, Rates & Charges Bylaw *	1 st Reading

5. REQUEST FOR DECISIONS

Pg. 165	A) Strategic Plan *	For Consideration
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6. POLICIES

Pg. 175	A) Policy 092, Recognition Policy *	For Consideration
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Pg. 181	B) Policy 102, Perimeter Fence Adjacent to Parks & Public Reserves *	For Consideration
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Pg. 193	C) Policy 120, Social Media Policy *	For Consideration
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7. CORRESPONDENCE

Pg. 199	A) Alberta Municipal Affairs * Re: Municipal Sustainability Initiative	For Information
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Pg. 200	B) Alberta Recreation & Parks Association * Re: Greener Facilities Conference & Expo	For Information
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8. OTHER

Pg. 202	A) Review of an Order to Remedy Unsightly Property * Re: 638 2 nd Street SE (Lots 39-40, Block 8, Plan 1117V)	For Consideration
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Pg. 216	B) Municipal Manager Report to Council September 24, 2018 *	For Information
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Pg. 232	C) Council Important Meetings & Events September 24, 2018 *	For information
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9. RECESS

10. IN CAMERA

11. ADJOURN

COUNCIL MEETING - SEPTEMBER 24, 2018

TOWN OF REDCLIFF ACCOUNTS PAYABLE LIST - CHEQUES

<u>CHEQUE #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
83407	AMSC INSURANCE	HEALTH SPENDING/BENEFITS	18,985.46
83408	ANTONI, ELISE	EMPLOYEE REIMBURSEMENT - PAINT SUPPLIES	55.66
83409	AWWOA	MEMBERSHIP FEES	120.00
83410	CANADIAN ENERGY	BATTERIES	888.67
83411	CANADIAN PACIFIC RAILWAY	FLASHER CONTRACT	558.00
83412	CROFTS, ARLOS	REFUND FACILITY DEPOSIT	150.00
83413	HARV'S JANITORIAL	JANITORIAL SERVICES	3,948.00
83414	JENKINS, TRACEY	EMPLOYEE REIMBURSEMENT - FALL FESTIVAL SUPPLIES	31.72
83415	MEDICINE HAT MONUMENTAL	SANDBLASTING	210.00
83416	SHAW	INTERNET	93.35
83417	NEW WEST TRUCK	AIR FITTING	48.46
83418	PARTEK	SONICWALL VPN ROUTER	1,944.48
83419	RECEIVER GENERAL RCMP	POLICING COSTS	229,424.00
83420	SPATIAL TECHNOLOGIES	MAG LOCATORS	3,538.40
83421	KUZYK, MICHELLE	SUMMER PROGRAM CONTRACTOR WAGES/SUPPLIES	1,593.22
83422	BUEKERT, ABE	REFUND KEY DEPOSIT	100.00
83423	JOSEY, MICHELLE	REFUND POOL RENTAL	210.00
83424	NIXDORF, GLEN	REFUND POOL RENTAL	42.00
83425	BROOKS, CHELSEA	REFUND KEY DEPOSIT	100.00
83426	ANDERSEN, CHRISTOPHER	REFUND TAX OVERPAYMENT	418.00
83427	WESTERN TRACTOR	BLADES	255.97
83428	REDCLIFF BAKERY	REFRESHMENTS FOR STRATEGIC PLANNING	32.20
83429	40 MILE COUNTY COMMENTATOR	JOB POSTING	75.15
83430	ALBERTA AUTO WRECKERS	TRANSMISSION	782.55
83431	BECHTOLD, ALLAN	REFUND KEY/FACILITY DEPOSIT	250.00
83432	BIG HILL SERVICES	ARENA BOARD CLEANING	682.50
83433	CLEANING WITH CARE	RESIDENTIAL CLEANING	63.00
83434	CROFTS, ARLOS	EMPLOYEE REIMBURSEMENT	272.48
83435	ECONOMIC DEVELOPMENT ALLIANCE	STOP PAYMENT - CHEQUE REPRINT	21,700.00
83436	JACOB'S WELDING	REPAIR MAST LIFT ARMS	735.00
83437	SHAW CABLE	INTERNET	200.34
83438	PAD-CAR MECHANICAL	HVAC MAINTENANCE	424.20
83439	PARTEK	WEBSITE UPGRADE/PERFORMANCE MONITORING	3,981.24
83440	PAYSTATION	SOFTWARE INSTALLATION	141.75
83441	POPICK, COREY	EMPLOYEE REIMBURSEMENT	1,616.98
83442	REEDY INSIGHTS	STRATEGIC PLANNING FACILITATION	2,100.00
83443	SOCAN	TARIFF ON MUSIC LICENSE	73.35
83444	KAREN MURRAY AG SERVICES	SEED	2,512.13
83445	PATERSON, WESLEY	SELF DEFENCE CLASSES	162.00
83446	RMAP SCHOOL	KEY/FACILITY REFUND	400.00
83447	WCB	SEPT/18 INSTALLMENT	7,403.98

83448	ATB MASTERCARD	VARIOUS EXPENSES	11,569.69
		TOTAL	317,893.93
TOWN OF REDCLIFF ACCOUNTS PAYABLE LIST - ELECTRONIC FUND TRANSFERS			
EFT#	VENDOR	DESCRIPTION	AMOUNT
00913	AIR LIQUIDE	CARBON DIOXIDE	2,563.94
00914	CANADIAN LINEN & UNIFORM	COVERALLS/TOWELS	69.79
00915	FARMLAND SUPPLY	PISTON PUMP OIL/KNUCKLE SWIVELS	168.52
00916	REDCLIFF HOME HARDWARE	FALL FESTIVAL SUPPLIES	136.25
00917	HYDRODIG	HYDROVAC CURBSTOP	362.25
00918	INDUSTRIAL MACHINE	FAN & MOTOR ASSEMBLY	405.59
00919	KIRK'S MIDWAY TIRE	TIRE/CHANGE OVER	417.90
00920	LMT ENTERPRISES	PROJ#175 PMT PROJ PMT #6	1,890.00
00921	LETHBRIDGE SHREDDING	SHREDDING	68.25
00922	RMS FUEL	FUEL	8,752.05
00923	SCHEFFER ANDREW	PROJ#175 SCHEFFER PROJ MGMT	3,808.88
00924	SUMMIT MOTORS	CARTRIDGE/KIT/FILTER/CORE/CONN DOT	56.47
00925	BREWMASTER	MEALS ON WHEELS CONTAINERS	58.91
00926	WOLSELEY	PIPE/TEES/BOX RODS/VALVES/MAIN STOP/CLAMP/BUSHINGS	4,077.58
00927	A & B STEEL	CHAIN	146.90
00928	ATRON REFRIGERATION	REPLACE BOILER/REPAIR FAN, BRINE LEAK/CHECK A/C	17,130.03
00929	BOSS LUBRICANTS	OIL	713.21
00930	CANADIAN LINEN & UNIFORMS	COVERALLS/TOWELS	38.10
00931	CENTRAL SHARPENING	SHARPEN ICE KNIFE	50.40
00932	CLEARTECH INDUSTRIES	CALCIUM HYPOCHLORITE	2,197.13
00933	CUPE	UNION DUES	2,835.65
00934	DIGITEX	PHOTOCOPIER FEES	295.37
00935	FARMLAND SUPPLY	HOSE/FITTING	102.35
00936	FOX ENERGY	CALIBRATION	68.20
00937	GAR-TECH	REPLACE LIGHT FIXTURE	184.28
00938	GAS CITY HYDRO VAC	HYDROVAC CURBSTOP	511.88
00939	REDCLIFF HOME HARDWARE	MOP/BLEACH/VALVE/POLISH/COUPLING/TAPE MEASURES	2,645.86
00940	KOST FIRE EQUIPMENT	SWIVEL	96.81
00941	LETHBRIDGE HERALD	ADVERTISING	353.02
00942	MEDICINE HAT NEWS	ADVERTISING	487.74
00943	PARK ENTERPRISES	PERMITS	2,039.74
00944	REDCLIFF/CYPRESS LANDFILL	TONNAGE FEE	15,322.11
00945	RURAL MUNICIPALITIES OF ALBERTA	SIGNAGE	439.53
00946	ROSENAU TRANSPORT	SHIPPING	211.70
00947	SITEONE LANDSCAPE	IRRIGATION PARTS	449.00
00948	TRIPLE EXPRESS	FREIGHT	110.25
00949	RON S ELECTRIC	EXHAUST FAN	137.54
00950	CIVICINFO BC	JOB POSTING	157.50
00951	TRICO LIGHTING	BULBS	75.54

00952	WOLSELEY	SERVICE BOX RODS/SADDLE TEES/PIPE	2,235.32
		TOTAL	46,598.00
REDCLIFF/CYPRESS LANDFILL ACCOUNTS PAYABLE LIST - CHEQUES			
CHEQUE #	VENDOR	DESCRIPTION	AMOUNT
00396	DILLON CONSULTING	DESIGN OF TRANSFER SITE/SCALE/BUILDING	38,750.49
00397	SHOCKWARE	INTERNET	52.45
00398	ATB MASTERCARD	VARIOUS EXPENSES	109.55
00399	DILLON CONSULTING	DESIGN OF TRANSFER SITE/SCALE/BUILDING	1,677.45
00400	TELUS	PHONE SERVICE	40.15
00401	TELUS MOBILITY	CELL SERVICE	110.25
		TOTAL	40,740.34
REDCLIFF/CYPRESS LANDFILL ACCOUNTS PAYABLE LIST - ELECTRONIC FUNDS TRANSFER			
00011	H2O HAULING	HAUL WATER	\$115.00
00012	RMA FUEL	FUEL	\$4,123.29
00013	WHITE FOX GROUP	SUPPLY EQUIPMENT TO BUILD ROAD	\$33,660.41
00014	RURAL MUNICIPALITIES OF ALBERTA	FOX ENERGY - GLOVES/DELINEATOR	\$257.78
00015	FORTY MILE GAS	UTILITIES	\$72.88
00016	REDCLIFF HOME HARDWARE	WATER/TISSUE/MOP HEAD	\$31.40
00017	RMA FUEL	FUEL	\$2,405.78
00018	SANATEC	VACUUM SEPTIC TANK	\$141.75
00019	THE BOLT SUPPLY HOUSE	REPAIR KIT	\$67.33
		TOTAL	115.00
TOWN OF REDCLIFF ACCOUNTS PAYABLE LIST - ATB MASTERCARD			
DATE	VENDOR	DESCRIPTION	AMOUNT
8/10/2018	NEWEGG	COMPUTERS	2,179.65
8/10/2018	NEWEGG	COMPUTERS	2,179.65
8/11/2018	NEWEGG	REFUND PROTECTION PLAN	(655.20)
8/11/2018	STAPLES	OFFICE SUPPLIES	267.54
8/22/2018	STAPLES	KLEENEX	31.42
8/30/2018	NEWEGG	REFUND	(62.64)
9/5/2018	STAPLES	OFFICE SUPPLIES	192.33
8/8/2018	4 IMPRINT	PROMO ITEMS	284.05
8/14/2018	PAYPAL	BABYSITTING COURSE BOOKLETS	182.81
8/22/2018	MACDESIGN	SHIRTS	355.47
8/29/2018	GUILLEVIN INTERNATIONAL	WATER PLANT PARTS	1,898.38
8/13/2018	PAYPAL - FLOWERONRIV	ROUTER	41.80
8/16/2018	CSH INC	FAN	363.75
8/20/2018	PAYPAL - PHONES N MORE	PHONE	503.99
8/23/2018	SOUTH COUNTRY COOP	ICE	5.98
8/24/2018	REDCLIFF FAMILY FOODS	POP	32.98
8/24/2018	PRINCESS AUTO	BATTERY CHARGER	167.99

8/28/2018	PRO COMM SOLUTIONS	PHONE COVER	73.50
8/28/2018	CANADA POST	FREIGHT	39.03
9/4/2018	THE WEBSTAIRANT STORE	COFFEE MAKER	838.25
9/6/2018	BLONDIES	TREE GUARDS	127.83
8/9/2018	FOX ENERGY	SIGNS	31.31
8/9/2018	LETHBRIDGE TACTICAL	UNIFORM GEAR	20.00
8/20/2018	CANADA POST	POSTAGE	12.55
8/21/2018	SPLASH N DASH	CAR WASH	5.00
8/27/2018	LOGOS INC	SUPPLIES	144.11
8/9/2018	PAYPAL - CONNECTIONS CARRER	AIR BRAKES COURSE	200.00
8/15/2018	NRC FINANCE	PLUMBING CODE	224.70
8/23/2018	A1 PIZZA	STAFF RELATIONS	122.00
8/15/2018	NEWEGG	DRIVE	220.49
8/29/2018	A1 PIZZA	MPC LUNCH	62.95
8/13/2018	YELO-CABS	TAXI VOUCHERS	221.00
8/17/2018	CANADA POST	POSTAGE	316.64
8/20/2018	U OF A FACULTY OF EXTENSIONS	NACLAAC COURSE	795.00
8/24/2018	STAPLES	CABLES/PRINTER/SANDISKS	127.25
8/24/2018	HOME DEPOT	CABLES	59.76
8/30/2018	AMAZON	AIR DUSTER	59.23
9/1/2018	VISIONS	MONITOR	411.60
9/6/2018	TRUKKERS	MEALS ON WHEELS	97.63
8/8/2018	ATB	ANNUAL FEES REFUND	(610.00)
		TOTAL	11,569.78

REDCLIFF/CYPRESS LANDFILL ACCOUNTS PAYABLE LIST - ATB MASTERCARD

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
8/8/2018	STAPLES	KEYBOARD	32.08
8/14/2018	CANADA POST	POSTAGE	44.10
8/26/2018	FACEBOOK	ADVERTISEMENT - NO RECEIPT	30.00
8/30/2018	FACEBOOK	ADVERTISEMENT - NO RECEIPT	3.37
		TOTAL	109.55

**BYLAW NO: 1868/2018
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, TO REGULATE PUBLIC PLACES AND WORKPLACES WITHIN THE TOWN OF REDCLIFF TO BE SMOKE-FREE.

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26, Council may pass a Bylaw respecting the safety, health and welfare of people, and the protection of people and property, and for purposes respecting nuisances.

AND WHEREAS it has been determined second-hand smoke produced from tobacco consumption, cannabis consumption, vaping, and other similar activities can be a nuisance and is a health hazard for inhabitants of the Town of Redcliff.

AND WHEREAS the Council of the Town of Redcliff, duly assembled, deem it is in the best interest of promoting the health, safety and welfare of the public to regulate the locations where vaping and the smoking of tobacco, cannabis, and related substances can occur within the municipal corporate limits.

NOW THEREFORE, the Council of the Town of Redcliff in open meeting assembled, enacts as follows:

**PART 1
SHORT TITLE & DEFINITIONS**

SHORT TITLE

- (1) This Bylaw may be cited as the "Smoke-Free Bylaw".

DEFINITIONS

- (2) The following Acts and Regulations are referenced in this Bylaw and are referred to in this Bylaw by their short title as listed below:

	Act or Regulation	Short Title
(a)	Controlled Drugs and Substances Act, R.S.C. 1996, Chapter 19, and its regulations, as amended or replaced	Controlled Drugs and Substances Act
(b)	Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34, and its regulations, as amended or replaced	Provincial Offences Procedure Act
(c)	Alberta Gaming, Liquor and Cannabis Act, R.S.A 2000, Chapter G-1, and its regulations, as amended or replaced	Gaming, Liquor and Cannabis Act

(d)	Alberta Tobacco and Smoking Reduction Act, R.S.A. 2005, Chapter T-3.8, and its regulations, as amended or replaced	Alberta Tobacco and Smoking Reduction Act
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DEFINITIONS

- (3) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (2) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (4) In this Bylaw:
- (a) **BYLAW ENFORCEMENT OFFICER** means a person appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town** or their designate;
 - (b) **CAMPGROUND** means any area designated by **Council** as a site intended for use by camping accommodation units on a temporary basis.
 - (c) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.
 - (d) **COMMON ACCESS DOOR** means a building access and or egress door that may be used by the public or workers to access a **Public Place** or **Workplace**.
 - (e) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
 - (f) **DESIGNATED SMOKING AREA** means a specified area where **Smoking** is permitted and which **Minors** are not permitted to enter.
 - (g) **DISPOSE** means the dumping, discharging, throwing, dropping, discarding, abandoning, spilling, leaking, pumping, pouring, emitting or emptying of any substance or material.
 - (h) **HOTEL** means an overnight accommodation facility, including an inn, guesthouse or bed and breakfast.
 - (i) **LICENSED PREMISES** means licensed premises as defined under the Gaming, Liquor and Cannabis Act, including an outdoor eating or drinking area that is part of or operated in conjunction with the premises.
 - (j) **MINOR** means a person under the age of 18 years.
 - (k) **MUNICIPAL BUILDING** means any of the buildings owned, leased, operated or occupied by the Town.
 - (l) **MANAGER** means a **Person** appointed to the position of Chief Administrative Officer for the **Town** by **Council** and known as the Municipal **Manager**.

- (m) **PARK AND RECREATIONAL AREA** means any indoor or outdoor space controlled, developed, or designated by the **Town** to be used for rest, recreation, exercise, pleasure, amusement, or enjoyment, including a public park, playground, sports field, campground common area, recreational area, pool, arena, skate or bicycle park, ice rink, water playground, court, or pathway in the trail system, but excludes individual campsites.
- (n) **PEACE OFFICER** means **Peace Officer** as defined in Provincial Offences Procedure Act.
- (o) **PERSON** means any corporation, firm, partnership, association or registered company, as well as a natural **Person**.
- (p) **PRIVATE RESIDENCE** means a self-contained living premise for domestic use of one or more persons and is provided with a separate private entrance from the exterior of a building or from a common hall, lobby or stairway. A **Private Residence** also includes an individual campsite in a campground.
 - (i) a **Private Residence** is a **Workplace** if a home business is operated from the residence only at the time when employees or patrons who do not live in the residence are present; and
 - (ii) only that part of a **Private Residence** in which the business is operated is a **Workplace** for the purposes of this Bylaw.
- (q) **PROPRIETOR** means the owner, tenant, or occupant of a property or part of a property or their agent or representative, and includes any **Person** in charge thereof or any **Person** who controls, manages, governs or directs the activity carried on therein.
- (r) **PUBLIC VEHICLE** means transit buses, school buses, chartered buses, **Town** vehicles, and taxis, except when the only person in the taxi is the taxi driver.
- (s) **PUBLIC PLACE** means all or any part of a property, building, structure, or other indoor or outdoor area to which members of the public have access as of right or by express or implied invitation including:
 - (i) Common areas of a multi-unit residential facility, including parks, patios, pools, other recreation areas and enclosed parking garages;
 - (ii) An outdoor bus or taxi shelter;
 - (iii) School buildings, grounds, and parking areas;
 - (iv) **Licensed Premises;**
 - (v) **Restaurants;**
 - (vi) Outdoor areas of a **Restaurant**, such as a patio, where eating or consumption of alcohol is permitted;
 - (vii) **Hotels;**
 - (viii) **Park and Recreational Areas;**
 - (ix) Libraries;

- (x) **Municipal Buildings;**
 - (xi) Public entrances to multi-unit residential facilities, public buildings, **Licensed Premises, Restaurants, Hotels, Workplaces**, and commercial buildings; and
 - (xii) A walkway, patio, or deck on the site of a **Public Place** used by the public to access the **Public Place**;
- but does not include a **Private Residence**, sidewalk, roadway, or street, or parking lot.
- (t) **RESTAURANT** means a place where food or beverages are prepared for consumption on the premises.
 - (u) **SMOKE OR SMOKING** means to inhale, exhale, burn, smoke, vape, hold, or otherwise have control over a lit or active cigarette, e-cigarette, vapourizer, cigar, pipe, hookah pipe, or other lighted or heated device or apparatus designed to burn or heat tobacco, cannabis, shisha, e-liquid, concentrate, dried herb, or any other substance for the purpose of inhaling or tasting omissions; irrespective of whether the **Person** is inhaling or exhaling the smoke or vapour emitted from it.
 - (v) **TOWN** means the municipal corporation of the **Town** of Redcliff or the area contained within the **Town** boundaries as the context requires.
 - (w) **WORKPLACE** means all or any part of a property, building, structure or other enclosed area in which employees perform the duties of their employment, whether or not members of the public have access to the building, structure or area as of right or by express or implied invitation, and includes reception areas, corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms, lounges, storage areas, laundry rooms, enclosed parking garages, walkways and decks on the site used to access the **Workplace**, and work vehicles.

PART 2 REGULATIONS

SMOKING PROHIBITED

- (5) No person shall **Smoke** in a:
 - (a) **Public Place**;
 - (b) **Public Vehicle**;
 - (c) vehicle with a **Minor**;
 - (d) **Workplace**; or
 - (e) Within 10 metres (approximately 32 feet) of:
 - (i) The boundary of a Park and Recreational Area; or
 - (ii) Any entrance, exit, doorway, openable window, or air intake of a **Public Place** or **Workplace**;

Regardless of whether or not a "No Smoking" sign is posted or visible.

- (6) No **Proprietor** shall permit smoking in any place listed previously in Section (5), whether or not a “No Smoking” sign is posted or visible.

SMOKING PERMITTED

- (7) Smoking is permitted, unless otherwise stated in this Bylaw:
- (a) In a **Private Residence**;
 - (b) Along a sidewalk, roadway, or street;
 - (c) In a parking lot; and
 - (d) In a **Designated Smoking Area**.

DESIGNATED SMOKING AREAS

- (8) A **Proprietor**, at their discretion, may apply for a Development Permit to create a **Designated Smoking Area** in a **Public Place** or **Workplace**.
- (9) A **Designated Smoking Area** must:
- (a) Be screened from the view of the general public,
 - (b) Not be closed in by a roof or ceiling and walls that prevent natural air circulation;
 - (c) Be equipped with one or more doors which are kept closed except when actually in use for ingress or egress;
 - (d) Be 10 metres (approximately 32 feet) from any **Common Access Door**, openable window, or air intake of a **Public Place** or **Workplace**; and
 - (e) Not include food or beverage service.
 - (f) Not have cleanup or trash removed while smoking is permitted.
- (10) Notwithstanding sections (5)(e) and (9)(d), a **Designated Smoking Area** may be placed within 3 metres (approximately 10 feet) of a door provided that:
- (a) The door is not a **Common Access Door** to the **Public Place** or **Workplace**;
 - (b) Warning signs are posted on or adjacent to the door on the side that is away from the **Designated Smoking Area**, that the door opens to a **Designated Smoking Area**;
 - (c) The door has a functioning automatic closer and is only open when the door is being used for access and egress from the **Designated Smoking Area**; and
 - (d) The door is in an area that is at least 5 metres (approximately 16 feet) away where **Minors** are permitted on the side of the door away from the **Designated Smoking Area**.
- (11) No **Proprietor** shall permit a **Minor** to enter a **Designated Smoking Area**.

SIGNAGE

- (12) A **Proprietor** shall ensure that signs indicating smoking is prohibited are conspicuously and continuously posted, and clearly visible and legible to all persons entering the property.

- (13) A **Proprietor** of a property or part of a property in which smoking is permitted shall ensure signs indicating a **Designated Smoking Area** are conspicuously and continuously posted, and clearly visible and legible to all persons entering the property or part of the property.
- (14) Only a **Proprietor** or a **Person** acting under the **Proprietor's** instructions shall remove, alter, deface, conceal or destroy a sign that is posted or displayed under this Bylaw.

LITTERING

- (15) No **Person** shall **Dispose** of or allow the **Disposing** of any product or substance, or part of a product or substance, **Smoked** or used to **Smoke**, anywhere in the **Town**, other than in:
 - (a) a garbage receptacle provided for the containment of litter for material that is not burning, or
 - (b) In a special receptacle provided for and marked for the receiving of burning materials.

PART 3 OFFENCES & PENALTIES

OFFENCES

- (16) Any **Person** who contravenes any provision of this Bylaw is guilty of an offense punishable by issuance of either a summons/violation ticket (Part 2) or an offense notice/violation ticket (Part 3) in accordance with the provisions of the Provincial Offenses Procedure Act of Alberta as amended.

PENALTIES

- (17) A ticket issued under section (16) shall:
 - (a) state the provision of this Bylaw alleged to have been contravened; and
 - (b) state the fine set out in Schedule "A" to this Bylaw.
- (18) A ticket shall be deemed to be sufficiently served for the purposes of this Section if:
 - (a) Served personally on the **Person** alleged to have contravened the provision of this Bylaw set out in the violation notice;
 - (b) Mailed to the address of any registered owner of the vehicle in respect of which the offence is alleged to have been committed, in which case service is deemed to have occurred on the seventh day after mailing of the violation notice, the day of mailing excluded; or
 - (c) Attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.

GENERAL

- (19) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions and if any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, then all other provisions of this Bylaw shall remain valid and enforceable.
- (20) When there is a conflict between a provision of this Bylaw and the Alberta Tobacco and Smoking Reductions Act, the more restrictive provision prevails.
- (21) It is the intention of Council that if any portion of this Bylaw be declared invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw shall remain valid and enforceable.
- (22) If any provision of the Bylaw provides for an exception or an exemption, the onus or burden of establishing the exception or exemption in any Court proceedings shall be on the person charged with the offence under the Bylaw.

READ a first time this 10th day of September 2018 A.D.

READ a second time this _____ day of _____ 2018 A.D,

READ a third time this _____ day of _____ 2018 A.D,

PASSED and **SIGNED** this _____ day of _____ A.D, 2018

MAYOR

MANAGER OF LEGISLATIVE & LAND SERVICES

Schedule “A”: Fines

Nature of Offence	Section	Penalty
Smoking in a prohibited area	(5)	\$100.00
Proprietor allowing Smoking in a prohibited area	(6)	\$500.00
Designated Smoking Area not set up or located in adherence with the regulations of this bylaw.	(8), (9), (10)	\$1,000.00
Per incident of a Proprietor allowing a Minor to enter a Designated Smoking Area	(11)	\$100.00
Proprietor allowing the serving beverages or food in a Designated Smoking Area	(9)(e)	\$250.00
Proprietor allowing Persons under his employ to clean up the Designated Smoking Area or remove trash from the Designated Smoking Area while smoking is permitted.	(9)(f)	\$250.00
Failure to comply with no Smoking signage requirements	(12), (14)	\$50.00
Failure to comply with Designated Smoking Area signage requirements	(10)(b), (13), (14)	\$250.00
Improper disposal of Smoking products or substances including starting a fire or spilling of substances.	(15)	\$500.00

**BYLAW NO: 1869/2018
TOWN OF REDCLIFF**

**A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, TO REGULATE
PARK, RECREATIONAL, OR PUBLIC AREAS.**

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, Council may pass bylaws respecting people, activities and things in, on or near a public place or place that is open to the public.

AND WHEREAS, park, recreational or public areas are considered important community assets contributing to healthy lifestyles and a high quality of life.

AND WHEREAS, the Council of the Town of Redcliff is committed to creating and providing safe and enjoyable park, recreational or public areas for current and future residents.

AND WHEREAS, the Council of the Town of Redcliff, deems it advisable to set forth terms and conditions to regulate the use of park, recreational or public areas within the municipal corporate limits.

NOW THEREFORE, the Council of the Town of Redcliff in open meeting assembled, enacts as follows:

**PART I
SHORT TITLE, DEFINITIONS**

SHORT TITLE

- (1) This Bylaw may be cited as the "**Park, Recreational or Public Areas** Bylaw".
- (2) The following Acts and Regulations are referenced in this bylaw and are referred to in this bylaw by their short title as listed below:

	Act or Regulation	Short Title
(a)	Controlled Drugs and Substances Act	Controlled Drugs and Substances Act
(b)	Traffic Safety Act, R.S.A. 2000 Chapter T-6 of Alberta, as amended or replaced;	Traffic Safety Act
(c)	Motor Vehicle Administration Act, R.S.A. 1980 c. M-22, as amended or replaced;	Motor Vehicle Act
(d)	Off-Highway Vehicle Regulation, AR 319/2002, as amended or replaced;	Off-Highway Vehicle Regulation
(e)	Vehicle Equipment Regulation, AR 122/2009, as amended or replaced;	Vehicle Equipment Regulation

(f)	Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34 of Alberta and its regulations, as amended or replaced.	Provincial Offences Procedure Act
(g)	Criminal Code of Canada, R.S.C 1985, Chapter C-46 of Canada and its regulations, as amended or replaced.	Criminal Code

DEFINITIONS

- (3) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (2) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (4) In this Bylaw:
- (a) **ANIMAL** means any creature not human.
 - (b) **BICYCLE** means a **Bicycle** as defined in the Traffic Safety Act.
 - (c) **BYLAW ENFORCEMENT OFFICER** means a **Person** appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town**.
 - (d) **CAMPING ACCOMMODATION UNIT** means all of the following used by a **Person** as shelter equipment while camping.
 - (i) tent;
 - (ii) trailer;
 - (iii) tent trailer;
 - (iv) motor home;
 - (v) van; or
 - (vi) truck camper.
 - (e) **CAMPGROUND** means any area designated by **Council** as a site intended for use by **Camping Accommodation Units** on a temporary basis.
 - (f) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.
 - (g) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
 - (h) **DIRECTOR** means the **Person** appointed as a **Director** of the **Town** and assigned responsibility for **Parks, Recreational or Public Area** operations and maintenance by the **Manager**.
 - (i) **DISPOSE, DISPOSAL, DISPOSED OR DISPOSING** means the dumping, discharging, throwing, dropping, discarding, abandoning, spilling, leaking, pumping, pouring, emitting or emptying of any substance or material.

- (k) **ENCROACHMENT** means any intrusion upon or use of a **Park, Recreational or Public Area** and includes:
- (i) the **Disposal** of **Vegetation** clippings, **Litter**, refuse, debris or other waste materials;
 - (ii) landscaping and gardening, including the cutting or pruning of **Vegetation**;
 - (iii) the erection or installation of fences, walls, irrigation equipment, satellite receiving dishes, garden sheds, other fixtures or structures;
 - (iv) driving upon or parking a **Motor Vehicle**, trailer or boat; or
 - (v) the placement or location of a trampoline, horseshoe pitch, skateboard ramp, playground equipment or other recreational items or facilities.
- (l) **FIREARM** shall have the same meaning as set out in the Criminal Code.
- (m) **HIGHWAY** shall have the same meaning as set out in the Traffic Safety Act.
- (n) **LITTER** means any solid or liquid material or product or combination of solid or liquid materials or products, including but not limited to:
- (i) rubbish, refuse, garbage, paper, packaging, cardboard, containers, bottles, cans, manure, human or **Animal** excrement or sewage, the whole or a part of an **Animal** carcass, the whole or part of any article, raw or processed materials, **Motor Vehicles** or other machinery, that is **Disposed** of; and
 - (ii) any **Motor Vehicle** which is inoperable by reason of removed wheels or other parts or equipment, has no current license plates attached to it, or has no registration certificate issued for the current year.
- (o) **LIVESTOCK** means any mammal or fowl owned by a **Person** for the purposes of providing food and or material and or transportation.
- (p) **MANAGER** means a **Person** appointed to the position of Chief Administrative Officer for the **Town** by **Council** and known as the Municipal Manager.
- (q) **MOTOR VEHICLE** means any vehicle propelled by any power other than muscular power excepting a **Bicycle** as defined in the Traffic Safety Act.
- (r) **PARK, RECREATIONAL OR PUBLIC AREA** means any land owned by or under the control and management of the **Town** or a School Authority within the corporate limits of the **Town**. This definition includes undeveloped **Roadways**, land developed or used by the **Town** as a public park, sports field, **Campground**, cemetery, pathway, trail, walkway, playground or recreational area, a temporary or permanent **Highway** buffer strip, and land designated by resolution of **Council** or Bylaw as a **Park, Recreational, or Public Area** but does not include developed Roadways.
- (s) **PARK OPEN WATERS** means any flowing water or body of water located in whole or in part within a **Park, Recreational or Public Area**, whether natural or man made, including stormwater ponds, but does not include a swimming or wading pool or water playground.

- (t) **PEACE OFFICER** means **Peace Officer** as defined in Provincial Offences Procedure Act.
- (u) **PERIMETER FENCE** means fences installed on the boundary of private properties and **Park, Recreational or Public Areas**.
- (v) **PERSON** means any corporation, firm, partnership, association or registered company, as well as a natural **Person**.
- (w) **ROADWAY** means land intended for the passage or parking of **Motor Vehicles** as demonstrated by the surface treatment of the land (paving or compacted gravel) and not being prohibited by signage or barricades that are part of a **Highway** or **Park, Recreational or Public Area**. **Roadway** includes any road, parking lot, and parking space.
- (x) **SIGN** means any **Sign**, billboard, display, etc. that is temporary or permanent or mounted on a trailer but does not include signs on a **Motor Vehicle**.
- (y) **SMOKE OR SMOKING** means to inhale, exhale, burn, smoke, vape, hold, or otherwise have control over a lit or active cigarette, e-cigarette, vapourizer, cigar, pipe, hookah pipe, or other lighted or heated device or apparatus designed to burn or heat tobacco, cannabis, shisha, e-liquid, concentrate, dried herb, or any other substance for the purpose of inhaling or tasting omissions; irrespective of whether the **Person** is inhaling or exhaling the smoke or vapour emitted from it.
- (z) **TOWED EQUIPMENT** means a boat, trailer, horse trailer, utility trailer or other equipment that is towed by a **Motor Vehicle**.
- (aa) **TOWN** means the municipal corporation of the **Town** of Redcliff or the area contained within the **Town** boundaries, as the context requires.
- (bb) **VEGETATION** means all trees, shrubs, plants, flowers and grass or all ground cover, whether it is in its wild or natural state or has been planted.

PART 2 REGULATIONS

AUTHORITY

- (5) This Bylaw shall apply to all **Park, Recreational or Public Areas** in the **Town**, subject to the exceptions provided in any statute of the Province of Alberta or any agreement entered into by the **Town** affecting any **Park, Recreational or Public Area** or part thereof.
- (6) The **Manager** shall have general supervision, charge, and control of the management and operation of **Park, Recreational or Public Areas**.
- (7) The **Director** shall, subject to the general supervision, control, and direction of the **Manager**, have charge of all **Park, Recreational or Public Areas** and of all **Persons** employed therein and of all works of whatsoever nature carried out therein.

BICYCLES

- (8) No **Person** shall ride a **Bicycle** within any **Park, Recreational or Public Area** where prohibited.
- (9) No **Person** shall ride any **Bicycle** within any **Park, Recreational or Public Area** unless the **Bicycle** and **Person** riding it are equipped in accordance with the Alberta Vehicle Equipment Regulation.
- (10) Notwithstanding Section (9), a **Person** may ride a **Bicycle** within a **Park, Recreational or Public Area** where the **Bicycle** and **Person** riding it are not equipped in accordance with the Alberta Vehicle Equipment Regulation provided that:
 - (a) It is on a course that is closed for general public use, and
 - (b) All safety equipment required for the **Bicycle** and **Person** riding it on the closed course are used.

BUSINESS ACTIVITIES

- (11) The **Director** may make regulations governing the sale of goods and services in a **Park, Recreational or Public Area**.
- (12) While in a **Park, Recreational or Public Area**, no **Person** shall, without a valid permit issued by the **Director**:
 - (a) place or erect any signs for the purposes of advertising. Signs must also comply with the requirements and regulations of the Land Use Bylaw;
 - (b) distribute any handbills or circulars;
 - (c) use any audible advertising device; or
 - (d) sell or offer for sale any refreshments or any goods or services for a fee.
- (13) The **Director** may issue a Permit for the sale and/or consumption of alcohol in a **Park, Recreational or Public Area** following consultation with the RCMP officer in charge or their designate, and upon receipt of:
 - (a) a complete permit application;
 - (b) a valid liquor license issued by the provincial government;
 - (c) proof of appropriate insurance coverage; and
 - (d) plans acceptable to the Director showing:
 - (i) the designated area for alcohol consumption;
 - (ii) security measures to prevent minors from entering the premises and accessing alcohol;
 - (iii) storage of alcohol; and
 - (iv) public washroom facilities.

CONDUCT

- (14) No **Person** shall in any way obstruct the free use or enjoyment of a **Park, Recreational or Public Area** by any other **Person**, other than:
- (a) the **Director**, in making regulations as allowed under this bylaw;
 - (b) a **Person** authorized by the **Director** or their designate by permit issued under this bylaw; or
 - (c) a **Person** directed by a **Peace Officer, Bylaw Enforcement Officer** or any member of **Town** staff in performing their normal duties or in the interests of public safety.
- (15) No **Person** shall use or make any boisterous noise, blasphemous, vulgar or insulting language or be guilty of any disorderly, loud or lascivious conduct of any kind while in any **Park, Recreational or Public Area** or engage in any activity which is likely to lead to a breach of the peace or to the inconvenience or disturbance of any **Persons**, unless authorized by the **Director** or their designate by permit issued under this bylaw.
- (16) No **Person** shall consume or display alcohol in a **Park, Recreational or Public Area**, unless authorized by valid permit issued by the **Director**.
- (17) No **Person** shall **Smoke** or display **Cannabis** in a **Park, Recreational or Public Area** at any time, including during any organized or informal events.
- (18) No **Person** shall enter or remain in any **Park, Recreational or Public Area** while intoxicated under the influence of alcohol or drugs.

DAMAGE TO PROPERTY

- (19) While in a **Park, Recreational or Public Area** no **Person** shall:
- (a) damage or vandalize fences, buildings, playground equipment, or other structures;
 - (b) destroy, remove, or attach any posters or material to trees or **Vegetation**;
 - (c) walk, stand, or sit on or in any flower or shrub bed; or
 - (d) walk, cross, or use any grass, plot, or land where signs have been posted by the **Town** prohibiting such use.

DANGEROUS OBJECTS

- (20) While in a **Park, Recreational or Public Area** no **Person** shall:
- (a) carry or discharge any fireworks without a valid Fireworks Permit issued by the Fire Chief;
 - (b) carry or discharge any **Firearm**;
 - (c) carry or discharge any explosives of any description;
 - (d) cast any stones or missiles;
 - (e) propel a golf ball in any manner; or
 - (f) shoot any projectile;
- unless authorized by valid permit issued by the **Director**.

ENCROACHMENTS

- (21) No **Person** shall create, allow, or contribute in any way to the existence or continuance of an **Encroachment** on a **Park, Recreational or Public Area**, unless the **Encroachment** or use:
- (a) is allowed under a specific provision of this Bylaw;
 - (b) is authorized by valid permit issued by the **Director** or their designate; or
 - (c) has been sanctioned following a specific authorization procedure adopted by resolution of **Council**.

ENTRANCE

- (22) The **Director** may designate hours of operation of a **Park, Recreational or Public Area** to be posted by signage at the entrances to the **Park, Recreational or Public Area**.
- (23) The **Director** or their designate may temporarily close a **Park, Recreational or Public Area** or any part thereof to the public use.
- (24) The **Director** may close a **Park, Recreational or Public Area** or any part thereof to public use for the protection of historical resources, the environment, or due to safety concerns with the area. Closure of a **Park, Recreational or Public Area** or any part thereof which will be posted by signage.
- (25) No **Person** shall enter any area of a **Park, Recreational, or Public Area** to which access by that **Person** is prohibited by a sign or regulation.
- (26) No **Person**, excepting **Town** employees, servants, or agents acting in the course of their duties, shall enter or remain in a **Park, Recreational or Public Area** outside the designated hours of operation.

FIRES

- (27) The **Director** may designate areas for fires in a **Park, Recreational or Public Area** marked with signage stating fires are permitted in:
- (a) fireplaces or fire pits installed by the **Town**, marked with signage stating they can be used for fires;
 - (b) portable propane and charcoal fuelled:
 - (i) fire pits;
 - (ii) stove tops; and
 - (iii) barbeques.
- (28) No **Person** shall light a fire in a **Park, Recreational or Public Area** in a place not designated for fires, unless authorized by valid permit issued by the **Director**.
- (29) A fire ban issued by the Fire Chief shall supersede sections (27) and (28).
- (30) No **Person** shall remove any firewood from the stock supply in any **Park, Recreational or Public Area** unless it is used specifically in fireplaces or fire pits provided for fires within the **Park, Recreational or Public Area**.

HORSES

- (31) No **Person** shall have a horse in any **Park, Recreational or Public Area** unless:
- (a) in a designated horse riding area or on a horse trail as created by resolution of **Council**; or
 - (b) authorized by valid permit issued by the **Director**.
- (32) No **Person** shall use a horse propelled vehicle in any **Park, Recreational or Public Area** unless authorized by valid permit issued by the **Director**.

LITTER CONTROL

- (33) No **Person** shall **Dispose** of or allow the **Disposing** of any **Litter** in a **Park, Recreational or Public Area**, other than in a garbage receptacle provided for the containment of **Litter**.
- (34) No **Person** shall **Dispose** of **Litter** in a garbage receptacle located in a **Park, Recreational or Public Area**, unless the **Litter** was generated by the **Person** while in the **Park, Recreational or Public Area**.

LIVESTOCK

- (35) No **Person** shall permit livestock of any type owned or controlled by that **Person** to enter into any **Park, Recreational or Public Area** unless authorized by valid permit issued by the **Director** or their designate.

MOTOR VEHICLES AND EQUIPMENT

- (36) No **Person** shall operate a **Motor Vehicle, Towed Equipment**, or any other equipment in a **Park, Recreational or Public Area** other than on a **Roadway**, unless authorized by valid permit issued by the **Director** or their designate.
- (37) No **Person** shall park a **Motor Vehicle, Towed Equipment**, or any other equipment in a **Park, Recreational or Public Area** other than on a **Roadway**, unless authorized by valid permit issued by the **Director** or their designate.
- (38) No **Person** shall park a **Motor Vehicle, Towed Equipment**, or any other equipment on a **Roadway** in a **Park, Recreational or Public Area** where prohibited by a traffic control device, unless authorized by valid permit issued by the **Director** or their designate.
- (39) No **Person** shall abandon a **Motor Vehicle, Towed Equipment**, or any other equipment in a **Park, Recreational, or Public Area**.

PARK OPEN WATERS

- (40) No **Person** in or upon any **Park Open Waters** shall:
- (a) swim or wade;
 - (b) operate a flotation device of any kind, irrespective of whether it is propelled or capable of being propelled by any method, including muscle power; or

- (c) operate or allow the operation of any:
 - (i) boat;
 - (ii) wind surfing board, paddle board;
 - (iii) canoe or kayak;
 - (iv) motorized water skis; or
 - (v) remote-controlled model boat, ship, submarine, truck, or car.

(41) A **Person** may fish in **Parks Open Waters**, with a rod and reel only, if permitted by sign.

PUBLIC GATHERINGS

- (42) In a **Park, Recreational or Public Area** no **Person** shall, unless authorized by valid permit issued by the Director or their designate:
- (a) take part in or organize any unauthorized procession or performance;
 - (b) take part in, schedule or make arrangements for an unauthorized public address;
 - (c) take part in or organize an unauthorized demonstration; or
 - (d) operate any amplifying system or loudspeaker.

SPECIAL EVENTS

- (43) No **Person** shall host a special event in a **Park, Recreational or Public Area** unless authorized by valid permit issued by the **Director** or their designate.

PART 3 CAMPGROUNDS

- (44) **Council** may designate an area in a **Park, Recreational or Public Area** as a **Campground** facility, composed in whole or in part of campsites intended for overnight use.
- (45) The **Town** may, subject to the Traffic Safety Act:
- (a) control and prohibit the movement of vehicular, pedestrian and other traffic in the **Campground** by means of signs and notices designated and erected by the **Town**; and
 - (b) designate and erect other signs and notices governing and prohibiting activities in the **Campground**.
- (46) The **Town** may issue camping permits for use of a campsite, and prescribe a daily fee, as per the Fees, Rates and Charges Bylaw, for such use to be paid in advance of occupying the campsite.
- (47) No **Person** shall camp overnight in a campsite except in an area designated for camping purposes by **Council**, unless authorized by valid permit issued by the **Director** or their designate.

- (48) No **Person** shall camp overnight in a campsite unless they hold a valid camping permit issued under this Bylaw.
- (49) No **Person** shall alter or deface a camping permit.
- (50) No **Person** shall transfer a camping permit to another **Person**.
- (51) The holder of a camping permit shall display the permit in a conspicuous place on the campsite and shall produce it for inspection on any reasonable request by the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer**, or **Person** authorized and designated by the **Director** to enforce this Bylaw.
- (52) No more than two **Camping Accommodation Units** are permitted on any campsite.
- (53) The number of **Motor Vehicles** plus pieces of **Towed Equipment** permitted on a campsite must not exceed three.
- (a) If, in the opinion of the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer** or **Person** authorized and designated by the **Director** to enforce this Bylaw, a campsite is not suitable to accommodate the maximum allowable combination of **Motor Vehicles**, **Camping Accommodation Units** and pieces of **Towed Equipment** allowed, whether it is due to the size of the campsite or the size of the **Motor Vehicles**, **Camping Accommodation Units** and pieces of **Towed Equipment**, they may request the removal of **Motor Vehicles**, **Camping Accommodation Units** and pieces of **Towed Equipment** to a number that can reasonably be accommodated by the campsite.
- (54) No visitor to a campsite who is not staying overnight at the campsite shall park a vehicle on the campsite:
- (a) after 11 p.m.;
- (b) in a manner or at a location that impedes traffic; or
- (c) on any surface that is not a **Roadway**.
- (55) Not more than 6 **Persons** over the age of 12 may occupy an individual campsite.
- (56) No **Person** shall camp for more than 14 consecutive days in the same **Campground** without valid permit issued by the **Director** or their designate.
- (a) The **Director** or their designate may issue an extension beyond the 14 days if in the reasonable judgment of the **Director** or their designate the extension does not prohibit other **Persons** from using the **Campground**.
- (b) A **Person** who has camped for the maximum number of days permitted under this Section must allow 24 hours to expire without being in the **Campground**, before they will be considered for being issued a new camping permit.
- (57) A camping permit will be automatically cancelled if the campsite is, without the authorization of the **Director** or their designate, unoccupied for more than 24 hours.
- (a) To be occupied a Campsite must have at least one **Camping Accommodation Unit**.

- (58) No **Person** shall interfere with the right of others to the quiet and peaceful enjoyment of a campsite.
- (59) No **Person** shall deface, injure or destroy any object in a campsite, whether created by natural means or otherwise.
- (60) No **Person** shall remove, deface, damage or destroy any signboard, sign or notice posted or placed in a **Campground** under the authority of this Bylaw.
- (61) A **Person** using a **Campground** shall keep the land and improvements in a condition satisfactory to the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer** or **Person** authorized and designated by the **Director** to enforce this Bylaw.
- (62) No **Person** shall consume alcohol or **Cannabis** in a **Campground** except:
- (a) In Camping Accommodation Unit; or
 - (b) on an individual campsite with a valid camping permit.
- (63) A **Person** who enters a **Campground** shall comply with:
- (a) any lawful orders or instructions made or issued pursuant to this Bylaw by the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer**, or **Person** authorized and designated by the **Director** to enforce this Bylaw; and
 - (b) all instructions, prohibitions, and directions prescribed by all lawfully designated and erected signs and notices.
- (64) When a camping permit is cancelled or expires, the permittee shall ensure the campsite to which the permit relates is vacated immediately and all equipment and property belonging to the permittee, **Persons** in the permittee's group, or the permittee's guests, and all litter, is removed from the campsite.
- (65) A **Person** vacating the **Campground** shall restore the land as nearly as possible to a condition better than when they arrived.
- (66) If equipment, material, **Camping Accommodation Units**, **Towed Equipment**, or **Vehicles** remain on a campsite when a camping permit is cancelled or expires, a **Peace Officer** or **Bylaw Enforcement Officer** may immediately remove or have removed any equipment, material, **Camping Accommodation Units**, **Towed Equipment**, and **Vehicles** remaining on the site.
- (a) Removed equipment, material, **Camping Accommodation Units**, **Towed Equipment**, or **Vehicles** will be stored by the Town; and
 - (b) Disposed of in accordance with applicable regulations, Town Bylaws and Policies.

PART 4 PERIMETER FENCES

- (67) **Perimeter Fences** are required to separate **Park, Recreational or Public Areas** from private properties.

- (68) The maintenance of a **Perimeter Fence** is the responsibility of the immediately adjacent private property owner.
- (69) The **Director** may set regulations on the standards for **Perimeter Fences** that will be adopted by Policy.
- (70) The **Director** or their designate, by issuance of a valid permit, may authorize the:
- (a) modification of existing **Perimeter Fences**;
 - (b) removal of existing **Perimeter Fences**; or
 - (c) replacement of existing **Perimeter Fences**.
- (71) The **Town** may take corrective actions (whether through its own forces or contracted agents) it deems necessary to repair, remove modifications to, or restore a **Perimeter Fence** at the cost of the immediately adjacent private property owner, if an immediately adjacent private property owner:
- (a) fails to maintain an existing **Perimeter Fence**;
 - (b) makes unpermitted modifications to an existing **Perimeter Fence**;
 - (c) removes an existing **Perimeter Fence**; or
 - (d) installs a new **Perimeter Fence** in place of the existing **Perimeter Fence** that does not match the existing **Perimeter Fence**.

PART 5 PERMITS

- (72) The **Director** or their designate may issue permits for activities on or in **Park, Recreational or Public Areas** as prescribed in this bylaw (listed in Schedule "A"). Permit fees and permit security amounts are in the Fees, Rates and Charges Bylaw.
- (73) A permit conveys in writing a **Person** has appropriate permission to conduct certain activities in a **Park, Recreational or Public Areas**.
- (74) The **Director** may choose to require a **Person** to post security in order for a **Person** to receive a permit.
- (a) Security ensures the **Person** receiving the permit restores, repairs, and or returns the **Park, Recreational or Public Areas** to the condition prior to the activity occurring.
 - (b) Security shall be returned in full upon completion of the activity by the **Director** or their designate. Return of the security deposit indicates the **Park, Recreational or Public Area** has been restored, repaired and or returned to a state reasonably equivalent to the condition prior to the activity occurring.

- (75) The **Director** or their designate may refuse to issue a permit if the permit application is incomplete. A complete permit application includes:
- (a) A completed standard application form;
 - (b) Any plans, drawings, figures or sketches required by this bylaw or the **Director** to support the application;
 - (c) Any security that is required by the **Director**; and
 - (d) Payment of the Permit Fee.

PART 6 OFFENCES, ENFORCEMENT AND PENALTIES

OFFENCES

- (76) Any Person who contravenes any provision of this Bylaw is guilty of an offense punishable by issuance of:
- (a) **Town** notice/violation ticket; or
 - (b) A summons/violation ticket (Part 2); or
 - (c) An offense notice/violation ticket (Part 3).
- (77) Any notice, violation or summons ticket will be served by a **Bylaw Enforcement Officer** or a **Peace Officer** in accordance with the provisions of the Provincial Offences Procedure Act.

ENFORCEMENT

- (78) Where the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer** or **Person** authorized and designated by the **Director** to enforce this Bylaw believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) enter a venue or campsite to investigate, without the **Town** incurring liability; or
 - (b) request a **Person** to leave.
- (79) Where a **Peace Officer**, **Bylaw Enforcement Officer** believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) at their discretion, give the **Person** in contravention of this Bylaw no more than 24 hours to correct the contravention;
 - (b) remove or have removed any **Person** who has refused to leave immediately after being requested to do so;
 - (c) serve upon the **Person** a written violation notice; and or
 - (d) commence proceedings by issuing ticket as outlined in Section (76).
- (80) A **Peace Officer** or **Bylaw Enforcement Officer** or **Director** may cancel a camping permit if the permittee, a member of the permittee's group, or a permittee's guest contravenes this Bylaw or any term or condition to which the permit is subject.

- (a) A **Peace Officer** or **Bylaw Enforcement Officer** or **Director** who cancels a camping permit under this Bylaw shall give the permittee written notice of the cancellation.
 - (b) A permittee who receives written notice of the cancellation of the permit shall immediately vacate the campsite.
- (81) A **Person** who contravenes the provisions of this Bylaw, irrespective of whether the **Person** has been served under Section (76), shall be liable to reimburse the **Town** for all costs reasonably incurred by the **Town** from:
- (a) repairing the damages done to **Town** property;
 - (b) removing litter, garbage, signs, vehicles, equipment, or other materials or property;
 - (c) disposing of litter and garbage; and
 - (d) storing signs, **Vehicles**, equipment, **Camping Accommodation Units**, **Towed Equipment**, or other materials or property.
- (82) A **Person** shall not be convicted of an offence if it is established upon a preponderance of the evidence that the **Person** took all reasonable steps under the circumstances to avoid the contravention of this Bylaw.
- (83) Nothing in this Bylaw shall be construed as preventing any **Peace Officer** or **Bylaw Enforcement Officer** from issuing a summons or offence notice under the Provincial Offences Procedure Act or otherwise initiating court process in any manner permitted by law, in respect of an alleged offence for which a violation ticket may be issued.

INSPECTION OF DOCUMENTS

- (84) Upon the request of a **Peace Officer** or **Bylaw Enforcement Officer**, a **Person** holding a permit, shall produce the permit issued pursuant to this bylaw.
- (85) Information obtained from any document inspected by a **Peace Officer** or **Bylaw Enforcement Officer**, under the authority of this Section, and submitted by them as evidence in a prosecution for an alleged contravention of this Bylaw, shall be prima-facie accepted by the Court as true information without the necessity of proof of the signature or the official capacity of the **Person** or **Persons** who signed or authorized the document or documents from which the information was obtained.

PENALTIES

- (86) A ticket issued under Section (76) shall:
- (a) state the provision of this Bylaw alleged to have been contravened;
 - (b) state the fine set out in Schedule "B" to this Bylaw; and
 - (c) in the case of a **Town** ticket, the date which the ticket must be paid at **Town** Hall, with any reduction in ticket amount for payment before the specified date outlined in Schedule "B" to this Bylaw, after which the **Bylaw Enforcement Officer** or a **Peace Officer** will reissue the ticket as offense notice/violation ticket (Part 3).

- (87) A ticket shall be deemed sufficiently served if the ticket is:
- (a) served personally on the **Person** alleged to have contravened the provision of this Bylaw set out in the violation notice;
 - (b) sent by registered mail to the address of any registered owner of the **Vehicle** in respect of which the offence is alleged to have been committed, in which case service is deemed to have occurred on the seventh day after mailing of the violation notice, the day of mailing excluded; or
 - (c) attached to or left upon the **Vehicle** in respect of which the offence is alleged to have been committed.

REMOVAL AND IMPOUNDMENT OF VEHICLES

- (88) If a **Peace Officer** or **Bylaw Enforcement Officer** forms the opinion on reasonable and probable grounds that a **Vehicle** is parked in contravention of any provision of this Bylaw, the **Peace Officer** or **Bylaw Enforcement Officer** may cause the **Vehicle** to be removed to a place of impoundment designated for that purpose by the **Manager** and the **Vehicle** shall remain impounded until it is claimed by the owner or their agent. If a vehicle is not claimed the Town will disposed of it in accordance with applicable regulations, Town Bylaws and Policies.
- (89) When a **Vehicle** is removed and impounded pursuant to the Bylaw, the registered owner or other **Person** alleged to have committed the offence shall be issued either a summons/violation ticket (Part 2) or an offense notice/violation ticket (Part 3) in accordance with the provisions of the Provincial Offenses Procedure Act, in respect of the alleged offence.
- (90) A **Vehicle** impounded pursuant to this Bylaw shall remain impounded, notwithstanding that it may have been claimed by the owner or their agent, until all towing and storage charges in respect of removal and impoundment of the **Vehicle** have been paid in full.

REMOVAL AND IMPOUNDMENT OF SIGNS

- (91) A **Peace Officer** or **Bylaw Enforcement Officer** may remove or cause to be removed any unauthorized sign for the purpose of advertising from a **Park, Recreational or Public Area**, without notice to the **Person** who placed or erected the sign.
- (a) Removed signs will be stored by the **Town** until claimed by the owner or their agent. If a sign is not claimed the Town will disposed of it in accordance with applicable regulations, Town Bylaws and Policies..
 - (b) The **Person** who placed or erected the unauthorized sign shall pay to the **Town** the cost incurred for the removal and storage of the sign, in addition to any fines issued in respect of the offence.

ENCROACHMENTS

- (92) A **Peace Officer, Bylaw Enforcement Officer** or the **Director** or their designate may, by notice in writing, order a **Person** who creates, allows or contributes in any way to the existence or continuance of an **Encroachment**, within the time specified in the notice, to:
- (a) stop the Encroachment;
 - (b) demolish or remove the **Encroachment**; or
 - (c) take any other measure specified in the notice to eliminate the **Encroachment** or alter the nature of the **Encroachment**.
- (93) If a property owner fails or refuses to comply with a directive from a **Peace Officer, Bylaw Enforcement Officer**, or the **Director** or their designate under this Section, the **Peace Officer, Bylaw Enforcement Officer**, or the **Director** or their designate may take any action necessary to carry out the order at the expense of the property owner in default, and the **Town** may recover the expenses thereof with the costs, by action or in like manner as municipal taxes.

GENERAL

- (94) The following are exempt from the provisions of this Bylaw:
- (a) The employees, servants and agents of the **Town** while acting in the course of their employment or duty.
 - (b) Any **Person** who has received the prior written permission of the **Director** or their designate to use the **Park, Recreational or Public Area** as a temporary access to that **Person's** private property.
- (95) The existence of a sign or notice is prima facie proof that it was properly designated and erected by the **Town** under this Bylaw.
- (96) In the event of a conflict between any of the provisions of this Bylaw and the provisions of any other Bylaw of the **Town**, the provisions of this Bylaw shall prevail.
- (97) In the prosecution of an alleged contravention of any of the provisions of this Bylaw, the onus of proof that the actions giving rise to the charge were previously authorized, shall lie upon the **Person** charged.
- (98) In the prosecution of an alleged contravention of any of the provisions of this Bylaw, the status of the **Park, Recreational or Public Area** lands in question shall be established upon viva voce testimony of the **Director** or their designate and the onus of proof that the **Park, Recreational or Public Area** lands upon which the contraventions are alleged to have occurred are not lands protected by this Bylaw, shall lie upon the **Person** charged with the offence.
- (99) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions and if any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, then all other provisions of this Bylaw shall remain valid and enforceable.
- (100) Bylaw No. 1123/1997 is hereby repealed upon this Bylaw coming into effect.

READ a first time this 10th day of September 2018 A.D,

READ a second time this _____ day of _____ 2018 A.D,

READ a third time this _____ day of _____ 2018 A.D,

PASSED and **SIGNED** this _____ day of _____ 2018 A.D,

MAYOR

MANAGER OF LEGISLATIVE & LAND SERVICES

SCHEDULE “A”
Permits & Permit Issuing Authorities

Permit Name	Permit Issuing Authority
Vendor Permit	Director or their Designate
Alcohol Sales and Consumption Permit	Director
Fireworks Permit	Fire Chief
Dangerous Objects Permit	Director
Encroachment Permit	Director
Firepit/Fireplace Permit	Director
Horse Permit	Director
Livestock Permit	Director or their Designate
Motor Vehicle Operating and Parking Permit	Director or their Designate
Public Gatherings Permit	Director or their Designate
Special Events Permit	Director or their Designate
Camping Permit	Director or their Designate
Perimeter Fence Permit	Director or their Designate
Permit to Cross Public Reserves - Vehicular	Director or their Designate

SCHEDULE "B"
Specified Fines

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
Bicycles				
(8)	Riding a Bicycle where prohibited	\$50.00/offence	\$50.00/offence	\$20.00
(9)	Riding a Bicycle without proper equipment (rider or Bicycle)	\$50.00/offence	\$50.00/offence	\$20.00
Business Activities				
(12)(a)	Erecting signs	\$150.00/occurrence	\$250.00/occurrence	\$50.00/occurrence
(12)(b)	Distributing handbills or circulators	\$150.00/day		\$50.00 for first day
(12)(c)	Using audible advertising device	\$100.00/day		\$30.00 for first day
(12)(d)	Selling of articles for a fee without Permit	\$250.00/day	\$250.00/day	\$50.00 for first day
Conduct				
(14)	Obstructing free use or enjoyment of a Park, Recreational, or Public Area	\$150.00/offence		\$50.00/offence
(15)	Public Nuisance	\$150.00/offence		\$50.00/offence
(16)	Consumption or display of alcohol without permit	\$150.00/offence		\$50.00/offence
(17)	Consumption or display of Cannabis	\$150.00/offence		\$50.00/offence
(18)	Entering a Park while intoxicated under the influence of alcohol or drugs	\$150.00/offence		\$50.00/offence
Damage to Property				
(19)(a)	Damaging fences, buildings, playgrounds, or other structures	\$250.00/offence	\$200.00/offence	\$50.00/offence
(19)(b)	Destroying, removing or attaching any posters or material to trees or Vegetation	\$100.00/offence		\$20.00/offence
(19)(c)	Walking, standing or sitting on flower or shrub beds	\$50.00/offence		\$20.00/offence
(19)(d)	Walking, crossing or using any grass, plot, or land where prohibited	\$100.00/offence		\$20.00/offence
Dangerous Objects				
(20)(a)	Carrying or discharging fireworks without a permit	\$500.00/offence		Part 2 or Part 3

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
(20)(b); (20)(c)	Carrying or discharging Firearms or explosives	\$500.00/offence		Part 2 or Part 3
(20)(d)	Casting stones or missiles	\$300.00/offence	\$300.00/offence	Part 2 or Part 3
(20)(e)	Propelling golf balls	\$300.00/offence	\$300.00/offence	Part 2 or Part 3
(20)(f)	Shooting projectiles	\$500.00/offence		Part 2 or Part 3
Encroachments				
(21)	Creating, allowing, or contributing to an encroachment	\$50.00/offence	\$50.00/day	
Entrance				
(25)	Entering a Park, Recreational or Public Area when prohibited	\$100.00/offence	\$100.00/offence	
Fires				
(28)(29)	Lighting a fire where prohibited	\$500.00/offence		Part 2 or Part 3
(29)	Removing firewood from a Park	\$100.00/offence		\$20.00 for first offence
Horses				
(31)(32)	Having or riding a horse in undesignated area	\$100.00/offence		\$50.00 for first offence
Litter				
(33)(34)	Failing to properly dispose of litter	\$500.00/offence		\$100.00 for first offence
Livestock				
(35)	Having livestock in a prohibited area	\$250.00/offence	\$200.00/offence	\$50.00/offence
Motor Vehicles or Trailers				
(36)	Operating a Motor Vehicle in a restricted area	\$250.00/offence		\$50.00 for first offence
(37)	Parking a Motor Vehicle in a restricted area	\$250.00/day	\$200.00/day	\$50.00 for first day
(38)	Parking on a Roadway where prohibited	\$150.00/day	\$150.00/offence	\$50.00/offence
(39)	Abandoning a Motor Vehicle	\$200.00/offence		\$50.00/offence
Park Open Waters				
(40)(a)	Swimming or wading where prohibited	\$150.00/offence		\$50.00/offence
(40)(b)	Operating a floatation device where prohibited	\$150.00/offence		\$50.00/offence
0	Operating a boat, board, canoe, kayak, water skis, or remote controlled boat where prohibited	\$150.00/offence		\$50.00/offence
(41)	Fishing where not permitted	\$100.00/offence		\$20.00/offence

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
Public Gatherings				
(42)(a)	Organizing an unauthorized procession or performance	\$250.00/offence		Part 2 or Part 3
(42)(a)	Taking part in an unauthorized procession or performance	\$50.00/offence		\$20.00/offence
(42)(b)	Organizing an unauthorized public address	\$250.00/offence		Part 2 or Part 3
(42)(b)	Taking part in an unauthorized public address	\$50.00/offence		\$20.00/offence
(42)(c)	Organizing an unauthorized demonstration	\$250.00/offence		Part 2 or Part 3
(42)(c)	Taking part in an unauthorized demonstration	\$50.00/offence		\$20.00/offence
(42)(d)	Operating any amplifying system or loudspeaker	\$100.00/offence	\$100.00/offence	\$20.00/offence
Special Events				
(43); Error! Reference source not found.	Hosting a special event without proper permits and approvals	\$250.00/day		\$50.00 for first day
Campground				
(47)	Camping in undesignated area	\$200.00/day		\$50.00 for first day
(48)	Camping without a permit	\$200.00/day		\$50.00 for first day
(51)	Failing to display camping permit	\$50.00/day		\$20.00 for first day
(49)	Alter or defacing camping permit	\$50.00/offence		\$20.00/ for first offence
(52); (53)	Exceeding number of allowable Camping Accommodation Units or Motor Vehicles	\$100.00/offence	\$100.00/offence	\$20.00/ for first offence
(54)	Violating campsite visitor regulations	\$50.00/offence		
(55)	Exceeding Occupancy	\$100.00/offence	\$100.00/offence	\$20.00/ for first offence
(56)	Exceeding permitted length of stay	\$100.00/day		\$20.00 for first day
(58)	Interfering with right to quiet	\$100.00/offence		\$20.00/ offence
(59)	Defacing or destroying objects	\$150.00/offence		\$50.00/ for first offence
(62)	Consuming alcohol or Cannabis outside individual campsite	\$150.00/offence		\$50.00/ for first offence
Perimeter Fences				

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
(69)	Failing to comply with Perimeter Fence regulations	\$100.00/offence		\$20.00/ offence
(70)	Failing to obtain Perimeter Fence permit for construction or modifications	\$100.00/offence	\$250.00/offence	\$50.00/ for first offence

**BYLAW NO: 1870/2018
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE LICENSING OF ALL BUSINESS ENTERPRISES OPERATING WITHIN THE CORPORATE LIMITS OF THE TOWN OF REDCLIFF.

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, a Council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business.

NOW THEREFORE the Council of the Town of Redcliff, duly assembled, enacts as follows:

**PART I
SHORT TITLE, DEFINITIONS**

SHORT TITLE

- (1) This Bylaw may be cited as the “Business License Bylaw.”
- (2) The following Acts and Regulations are referenced in this Bylaw and are referred to in this Bylaw by their short title as listed below:

	Act or Regulation	Short Title
(a)	Controlled Drugs and Substances Act, R.S.C. 1996, c. 19, as amended or replaced	Controlled Drugs and Substances Act
(b)	Traffic Safety Act, R.S.A. 2000 Chapter T-6 of Alberta, as amended or replaced	Traffic Safety Act
(c)	Apprenticeship and Industry Training Act, R.S.A. 2000 Chapter A-42 of Alberta, as amended or replaced	Apprenticeship and Industry Training Act
(d)	Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34 of Alberta and its regulations, as amended or replaced	Provincial Offences Procedure Act
(e)	Real Estate Act	Real Estate Act
(f)	Criminal Code of Canada, R.S.C 1985, Chapter C-46 of Canada and its regulations, as amended or replaced.	Criminal Code
(g)	Alberta Gaming, Liquor and Cannabis Act, R.S.A. 2000, Chapter G-1 and its regulations, as amended or replaced	Gaming, Liquor and Cannabis Act

DEFINITIONS

- (3) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (2) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (4) In this Bylaw:
- (a) **ADULT SERVICES** shall mean any business providing for adult entertainment, usually in the form of live performances, or electronic or photographic reproductions featuring full or partial nudity, or sexual services.
 - (b) **APPLICANT** shall mean a **Person** who applies for a:
 - (i) **Business License**; or
 - (ii) renewal of an existing **Business License**.
 - (c) **APPLICATION** shall mean a written **Application** for a **Business License** on a form provided by the **Business License Inspector** or **Business License Issuer**.
 - (d) **BUSINESS LICENSE** shall mean a **Business License** issued pursuant to this Bylaw.
 - (e) **BUSINESS LICENSEE** shall mean a **Person** holding a valid and subsisting **Business License** issued pursuant to the provisions of this Bylaw.
 - (f) **BUSINESS LICENSE FEE** shall mean the fee charged by the **Town** to process and administer a **Business License**.
 - (g) **BUSINESS LICENSE INSPECTOR** shall mean an employee of the **Town** appointed by the **Town** as a **Business License Inspector**.
 - (h) **BUSINESS LICENSE ISSUER** means an employee of the **Town**, designated by the **Manager**, to issue **Business Licenses**, which may also be the **Business License Inspector**.
 - (i) **BUSINESS LICENSE YEAR** means the period commencing January 1st and ending December 31st of the same calendar year.
 - (j) **BUSINESS PREMISES** shall mean any place where a **Person** is **Carrying-on-Business** and includes any land, building, structure, vehicle, or location.
 - (k) **BYLAW ENFORCEMENT OFFICER** means a **Person** appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town**.
 - (l) **CARRYING-ON-BUSINESS** shall include any trade, profession, industry, vocation, or calling that provides goods and/or services for gain, benefit, advantage, or livelihood. Proof of one transaction in the business within the boundaries of the **Town** is sufficient to establish that the **Person** carried on or engaged in the business.
 - (m) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.

- (o) **CANNABIS PRODUCTION AND DISTRIBUTION FACILITY** means the business, as licensed by Health Canada, primarily for one or more of the following:
 - (i) the production, cultivation, and growth of **Cannabis**;
 - (ii) the making, testing, manufacturing, assembling, processing, or in any way altering the chemical or physical properties of semi-finished **Cannabis** goods and products;
 - (iii) the storage of **Cannabis** materials, goods and products; or
 - (iv) the transporting, shipping and sale of materials, goods and products to the Alberta Gaming and Liquor Commission or other agencies designated by provinces outside of the province of Alberta responsible for the distribution and sale of **Cannabis** in those provinces.
- (p) **CANNABIS RETAIL STORE** means the business of displaying and selling recreational **Cannabis** and **Cannabis** accessories, as authorized by the Alberta Gaming, Liquor, and Cannabis Act.
- (q) **CHARITABLE OR NON-PROFIT OR NOT-FOR-PROFIT ORGANIZATION** means an association acting for a charity or in promotion of the general social welfare and must be registered as a charity under a Federal or Provincial Act or regulation.
- (r) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
- (s) **CRAFT OR TRADE SHOW** means an organized activity at which:
 - (i) crafts, goods or services are displayed and/or for sale by **Charitable or Non-Profit or Not-For-Profit Organization(s)**; or
 - (ii) trades people are offering goods or services for sale for a profit.
- (t) **ESCORT** means any business providing escort services.
- (u) **GARAGE SALES** means the displaying and offering for sale of five or more items of goods, wares or merchandise on private residential property.
- (v) **GENERAL CONTRACTOR** shall mean any **Person** who enters into a contract with another **Person** for the purpose of erection, alteration, cleaning, moving, repair, or demolition of a building or structure or other infrastructure, and who may or may not enter into contracts with **Sub-Contractors** for the undertaking of certain elements of the overall project.
- (w) **HOME OCCUPATION – WITH CLIENTS** means an occupation, trade, profession, or craft carried out on a residential property by one or more of the occupants of the residence and clients come to the property to receive goods or services.
- (x) **HOME OCCUPATION – WITHOUT CLIENTS** means an occupation, trade, profession, or craft carried out on a residential property by one or more of the occupants of the residence and clients do not come to the property to receive goods or services.
- (y) **KID STAND** means an informal stand set up by children under the age of 12 to sell goods to passersby, typically located on private residential property.

- (z) **MANAGER** means a **Person** appointed to the position of Chief Administrative Officer for the **Town** by **Council**, and known as the Municipal **Manager**.
- (aa) **MECHANICAL TRADE** means any **Person** who, for compensation, carries on any of the trades designated in the regulations passed pursuant to the Apprenticeship and Industry Training Act, and includes, but is not limited to:
 - (i) electrical contractor;
 - (ii) plumbing contractor;
 - (iii) steamfitting & pipefitting contractor;
 - (iv) gasfitting contractor;
 - (v) motor mechanic;
 - (vi) auto body mechanic;
 - (vii) sheet metal contractor;
 - (viii) electronic technician;
 - (ix) refrigeration mechanic;
 - (x) heavy duty mechanic;
 - (xi) elevator contractor; and
 - (xii) locksmith.
- (bb) **MOBILE FOOD VENDOR** means a vehicle or trailer used to sell food, and may also be a **Mobile Food Cooking Operation**.
- (cc) **MOBILE COOKING OPERATION** means a food preparation, and or handling, and or processing unit, contained within a vehicle or trailer, that uses electricity, natural gas, wood, charcoal, or propane-powered commercial cooking equipment to prepare and store food, that may be parked or sited on a temporary basis and then moved to a different location.
- (dd) **NON-LOCAL BUSINESS** shall mean any business that is not a **Local Business**.
- (ee) **PEACE OFFICER** has the same definition as in the Provincial Offences Procedure Act.
- (ff) **PEDDLER** shall mean any **Person** who as principal or agent **Carries On Business** in the **Town** by soliciting, negotiating or concluding sales contracts in person at any place other than the seller's place of business, without an expressed invitation from the consumer and includes any **Person** that may be known as a huckster or transient trader. A **Person** selling farm produce grown or raised by the **Person** is not considered a **Peddler**.
- (gg) **PEDDLER LICENSE** shall mean a license issued to a **Person** to be a **Peddler** in the Town.
- (hh) **PERSON** shall mean a natural **Person**, trustee, legal representative, proprietorship, body corporate, association, or partnership.

- (ii) **REAL ESTATE BUSINESS** shall mean a business which facilitates the sale of real property, as defined within and governed by the Real Estate Act.
- (jj) **RENTAL ACCOMMODATION BUSINESS** shall mean **Carrying-on-Business** by the renting or leasing three or more dwelling units on one property.
- (kk) **LOCAL BUSINESS** shall mean a business that has a permanent **Business Premises** within the corporate limits of:
 - (i) The **Town** of Redcliff;
 - (ii) The City of Medicine Hat; or
 - (iii) Cypress County.
- (ll) **SEASONAL BUSINESS** shall mean:
 - (i) a garden tilling business;
 - (ii) a weed cutting business; or
 - (iii) the business of snow removal.
- (mm) **SUB-CONTRACTOR** shall mean any **Person** who enters into a contract with a **General Contractor** for the erection, alteration, moving, cleaning, repair or demolition of any building or structure in the **Town** and, the includes a **Person** who carries on any one or more of the following businesses:
 - (i) builder or carpenter;
 - (ii) roofing, siding application, and window/door moulding capping, or stucco;
 - (iii) application, glass installing, door installing, plastering, or eavestrough installing;
 - (iv) excavating, landscaping, concrete or asphalt installing, reinforcing steel installing, sewer or water pipe and equipment installation, or paving;
 - (v) structural steel installation, welding contracting, brick or stone mason;
 - (vi) building movers or demolition;
 - (vii) drywall and lath installing, flooring installing, painting and decorating, paper hanging, terrazzo or tile contracting;
 - (viii) ceiling installing, acoustical installation; and
 - (ix) janitor service, window washing contractor, rug and upholstery cleaning, or chimney cleaning.
- (nn) **TOWN** means the municipal corporation of the **Town** of Redcliff or the area contained within the **Town** boundaries as the context requires.

PART 2 GENERAL REGULATIONS

REQUIREMENT TO POSSESS BUSINESS LICENSE

- (5) Every **Person Carrying-on-Business** within the corporate limits of the **Town** is required to have a current, valid **Business License** issued pursuant to the provisions of this Bylaw, unless exempted by Federal or Provincial statutes or regulations.
- (6) A **Business License** does not give a person the right to be a **Peddler**. A separate **Peddler License** is required for a **Peddler**.
- (7) Advertising for sale on a private property more than one building, boat, motor vehicle, recreational vehicle or equipment of any kind is considered to be **Carrying-on-Business**.

BUSINESS LICENSE APPLICATION REQUIREMENTS

- (8) **Application** for a **Business License** shall:
 - (a) Be in writing on the current standard form;
 - (b) Be signed and submitted by the **Person** or a director or officer of the **Person** intending to be **Carrying-on-Business**;
 - (c) Be accompanied by a Certificate of Qualification where such Certificate is required by Federal or Provincial statute or regulation for the operation or performance of a particular business, calling, profession, trade, or occupation; and
 - (d) Include payment of the **Business License Fee** as set out in the **Town's Fees, Rates and Charges Bylaw**.

TERMS OF BUSINESS LICENSE

- (9) The **Business License Inspector** or **Licence Issuer** may refuse to grant a **Business License** if:
 - (a) The application is incomplete;
 - (b) Required Federal or Provincial licensing or Certificate of Qualification has not be provided;
 - (c) There are reasonable grounds to believe the business may jeopardize public health and safety;
 - (d) There are reasonable grounds to believe the business will be or is involved in criminal activities; or
 - (e) There are reasonable grounds to believe the business will contravene or is in contravention of **Town** bylaws.
- (10) The **Business License Inspector** or **Business License Issuer** shall only issue a **Business License** for a **Business Premises** located in the **Town** if there is an approved Development Permit for the proposed **Business Premises**, if required.

- (11) The **Business License Inspector** or **Business License Issuer** may impose any conditions on a **Business License** that are deemed necessary to:
- (a) Protect the public health and safety;
 - (b) Reduce the potential for the **Business Licensee** to be involved in criminal activities;
 - (c) Reduce the potential for contraventions of the **Town** bylaws; and
 - (d) Protect the public interest.
- (12) Every **Business License** issued under the provisions of this Bylaw shall terminate at midnight on the 31st day of December of the **Business License Year** in which the **Business License** was issued, unless the **Business License** is terminated by revocation or surrendered prior to midnight on the 31st day of December of the **Business License Year**.

POSTING AND INSPECTION

- (13) Every **Business License** issued pursuant to this Bylaw shall be picked up by the **Business Licensee**, or delivered or mailed to the **Business Licensee** by the **Town**.
- (14) The **Business Licensee** shall post the **Business License** in a conspicuous place on the **Business Premises**.
- (15) All **Business Premises** located within the corporate limits of the **Town** in respect of which a **Business License** has been applied for or has been issued pursuant to the provisions of this Bylaw shall be subject to inspection by the **Business License Inspector**.
- (16) A **Business Licensee** shall produce the **Business License** for inspection purposes whenever required to do so by the **Business License Inspector**.
- (17) The **Business License Inspector** is hereby authorized to enter into any **Business Premises** during normal business hours located within the corporate limits of the **Town** in respect of which a **Business License** has been applied for or has been issued pursuant to the provisions of this Bylaw, to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw.

REVOCATION, AND SUSPENSION

- (18) The **Business License Inspector** may revoke or suspend a **Business License** if, in their opinion:
- (a) Public health and safety may be jeopardized by the continuation of the business;
 - (b) There is a breach of the Criminal Code that warrants the revocation or suspension; or
 - (c) The **Business Licensee** is in continual and ongoing contravention of this Bylaw or other bylaws of the **Town**.
- (19) Upon a **Business License** being revoked or suspended, the **Business License Inspector** shall notify the holder of the **Business License** by delivering the notice personally, or by registered or certified mail to the place of business as shown on the **Business License**.

APPEALS OF BUSINESS LICENSE INSPECTOR OR BUSINESS LICENSE ISSUER DECISIONS

- (20) In every case where a **Business License** has been refused, revoked, or suspended, the **Applicant** or **Business Licensee** may request an administrative review of the decision be performed by appeal to the Manager. The administrative review shall only consider if the decision of the Business License Inspector or Business License Issuer is consistent with established Town Bylaws, Policies and Procedures.
- (21) Where the **Applicant** or **Business Licensee** is not satisfied with the decision administrative review of the **Manager**, the **Applicant** or **Business Licensee** may appeal the **Manager's** decision to **Council**.
- (22) With respect to Sections (20) and (21) the **Manager** and or **Council** may:
- (a) Confirm the refusal, revocation, or suspension;
 - (b) Direct the **Business License** to be issued;
 - (c) Reinstate the revoked **Business License**; or
 - (d) Remove or vary the suspension of the **Business License**.
- (23) An administrative review under Section (20) or an appeal made under Sections (19) and (21) shall be made by the **Applicant** or **Business Licensee** within 30 days after such refusal, revocation, or suspension or administrative review.
- (24) The fees for an administrative review or appeal of a decision of the **Business License Inspector, Business License Issuer** or **Manager** are contained in the Fees Rates and Charges Bylaw.
- (25) All requests for administrative reviews or appeals under Sections (20) and (21) shall be made in writing addressed to the **Manager** of the **Town** and shall be dated as of the date received by the **Manager**.

TRANSFER OF BUSINESS LICENSE

- (26) A **Business Licensee** may not transfer a **Business License** to another **Person**.

PART 3**ADDITIONAL REGULATIONS REGARDING CERTAIN BUSINESSES****CANNABIS PRODUCTION AND DISTRIBUTION FACILITY**

- (27) Approval of an **Application** for a **Business License** for a **Cannabis Production and Distribution Facility** shall be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer**:
- (a) Proof of a valid and subsisting license issued by Health Canada; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Production and Distribution Facility**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set by Health Canada and applicable legislation.
- (28) The **Business License Inspector** or **Business License Issuer** will share all information received in the above Section with the local detachment of the RCMP.

- (29) The **Business Licensee** for a **Cannabis Production and Distribution Facility** must maintain and keep on the premises:
- (a) Proof of a valid and subsisting license issued by Health Canada; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Production and Distribution Facility**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set by Health Canada and applicable legislation.
- (30) Upon request by the **Business License Inspector**, the **Business Licensee** must produce the license issued by Health Canada and an up-to-date list of all persons employed with all documents required by federal legislation for a **Person** to be employed at a **Cannabis Production and Distribution Facility**.
- (31) The **Business Licensee** shall provide the **Business License Inspector** or **Business License Issuer** with a written notice of any changes to persons employed at the **Cannabis Production and Distribution Facility**, within 30 days of the employment change coming into effect.
- (32) A **Business License** for a **Cannabis Production and Distribution Facility** is automatically revoked if at any time the business's Health Canada license is revoked, cancelled, or expired and not renewed.

CANNABIS RETAIL STORE

- (33) Approval of an **Application** for a **Business License** for a **Cannabis Retail Store** shall be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer**:
- (a) Proof of a valid and subsisting license pursuant to the Alberta Gaming, Liquor, and Cannabis Act and other applicable legislation; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Retail Store**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set out in the Alberta Gaming, Liquor and Cannabis Act and other applicable legislation.
- (34) The **Business License Inspector** or **Business License Issuer** will share all information received in the above Section with the local detachment of the RCMP.
- (35) The **Business Licensee** for a **Cannabis Retail Store** must maintain and keep on the premises:
- (a) Proof of a valid and subsisting license issued under the Alberta Gaming, Liquor and Cannabis Act; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Retail Store**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set out in the Gaming, Liquor and Cannabis Act, or other applicable legislation.

- (36) Upon request by the **Business License Inspector**, the **Business Licensee** must produce the license issued under the Alberta Gaming, Liquor and Cannabis Act and up-to-date list of all persons employed with all documents required by Alberta Gaming, Liquor and Cannabis Act for a **Person** to be employed at a **Cannabis Production and Distribution Facility**.
- (37) The **Business Licensee** shall provide the **Business License Inspector** or **Business License Issuer** with a written notice of any changes to persons employed at the **Cannabis Retail Store**, within 30 days of the employment change coming into effect.
- (38) A **Business License** for a **Cannabis Retail Store** is automatically revoked if at any time the business' provincial license is revoked, cancelled, or expired and not renewed.

MOBILE FOOD VENDOR

- (39) Approval of an **Application** for a **Business License** for a **Mobile Food Vendor** shall:
- (a) Be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer** with a site location plan indicating the **Applicant's** intended operation locations.
- (40) If the **Applicant** wishes to operate a **Mobile Food Vending** unit in a location not identified in their original location plan, they must provide the **Business License Inspector** or **Business License Issuer** with an updated location plan and receive **Business License Inspector** or **Business License Issuer** approval.
- (41) A **Business License Fee** for a **Mobile Food Vendor** shall be paid to the **Town** at the time of the **Business License Application** and may be for a daily, weekend, monthly or **Business Year**, as chosen by the **Applicant**, as set out in the Fees, Rates and Charges Bylaw.
- (42) A **Mobile Food Vendor**, while in operation, may be located, subject to the approval of the **Business License Inspector** or **Business License Issuer**:
- (a) On private property, with written consent from the landowner, in the Downtown Commercial, General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial Land Use Districts, as defined in the Land Use Bylaw; or
 - (b) On **Town** owned land, streets, roads, and highways.

MOBILE COOKING OPERATION

- (43) Approval of an **Application** for a **Business License** for a **Mobile Cooking Operation** shall be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer**:
- (a) Proof of a valid Inspection Certificate, issued by an Alberta Safety Codes Officer, within the past 6 months; and
 - (b) A site location plan indicating the **Applicant's** intended operation locations.
- (44) If the **Applicant** wishes to operate a **Mobile Cooking Operation** in a location not identified in their original location plan, they must provide the **Business License Inspector** or **Business License Issuer** with an updated location plan and receive **Business License Inspector** or **Business License Issuer** approval.

- (45) A **Business License Fee** for a **Mobile Cooking Operation** shall be paid to the **Town** at the time of the **Business License Application** and may be for a daily, weekend, monthly or **Business Year**, as chosen by the **Applicant**, as set out in the Fees, Rates and Charges Bylaw.
- (46) A **Mobile Cooking Operation**, while in operation, may be located, subject to the approval of the **Business License Inspector** or **Business License Issuer**:
- (a) On private property, with written consent from the landowner, in the Downtown Commercial, General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial Land Use Districts, as defined in the Land Use Bylaw; or
 - (b) On **Town** owned land, streets, roads, and highways.

PEDDLER

- (47) Every **Peddler** engaged in **Carrying-on-Business** in the **Town** shall carry on their person a **Peddler License** issued by the **Business License Inspector** or **Business License Issuer**.
- (48) A **Peddler License** shall be applied for and subject to the approval of the **Business License Inspector** or **Business License Issuer** prior to the **Peddler Carrying-on-Business** in the **Town**.
- (49) A **Peddler License** will not be issued to a trustee, legal representative, proprietorship, body corporate, association, or partnership.
- (50) **Application** for a **Peddler License** shall:
- (a) Be in writing on the current standard **Town** form;
 - (b) Be signed and submitted by the **Person** intending to be a **Peddler**;
 - (c) Be accompanied with photo identification document(s) acceptable to the **Business License Inspector** or **Business License Issuer** that includes a unique identification number;
 - (d) Include a criminal record check, completed in the last 90 days, for every **Person** who wishes to carry on business as a **Peddler**. In the case where a **Peddler** will be representing a **Person Carrying-on-Business**, other than the **Peddler**, include by a criminal record check, completed in the last 90 days, for the owner or manager of the **Person Carrying-on-Business**;
 - (e) Be accompanied by a Certificate of Qualification where such Certificate is required by Federal or Provincial statute or regulation for the operation or performance of a particular business, calling, profession, trade, or occupation; and
 - (f) Include payment of the **Business License Fee** as set out in the **Town's Fees, Rates and Charges Bylaw**.

- (51) The **Business License Inspector** or **Business License Issuer** shall not issue a **Peddler License** if the **Applicant** has within the preceding two years been found guilty of theft, fraud, possession of stolen property or any other criminal offence involving an imputation of dishonest or fraudulent conduct, or person crimes, in Canada or in any other country so far as the **Business License Inspector** or **Business License Issuer** is able to determine with the assistance of the RCMP.
- (a) This Section shall not be construed or interpreted to derogate from the discretion of the **Business License Inspector** or **Business License Issuer** to:
- (i) refuse to grant a **Peddler License** to a **Person** who has been convicted of a criminal offence of a type other than that specified in this Section; or
- (ii) refuse to grant a **Peddler License** to a **Person** who has been convicted of a criminal offence of a type mentioned in this Section, more than two years before the date on which the application is made.
- (52) The **Business License Inspector** or **License Issuer** may refuse to grant a **Peddler Business License** if:
- (a) The application is incomplete;
- (b) Required federal or provincial licenses or certificates have not be provided;
- (c) There are reasonable grounds to believe the **Peddler** may jeopardize the health and safety of the public;
- (d) There are reasonable grounds to believe the **Peddler** will be involved in illegal activities; and
- (e) There are reasonable grounds to believe that the **Peddler** will contravene the bylaws of the **Town**.
- (53) A **Peddler** shall produce the **Peddler License** and photo identification for inspection purposes whenever required to do so by a **Peace Officer** or **Business License Inspector**.
- (54) A **Peddler's License** shall be valid for only the term specified on the **Peddler License** and in no case shall the **Peddler License** be valid beyond midnight on the 31st day of December of the **Business License Year**. There is no renewal of a **Peddler's License**.
- (55) No **Person** shall carry on the business of a **Peddler** except between the hours of 9:00 a.m. and 8:00 p.m. on a day other than a statutory holiday.
- (56) The **Business License Inspector** may revoke or suspend a **Peddler License** if, in their opinion:
- (a) Public health and safety may be jeopardized by the continuation of the **Peddler License**;
- (b) There is a breach of the criminal code that would prevent the **Person** from receiving a **Peddler's License**; or
- (c) The **Peddler** is in continual and ongoing contravention of this bylaw and other bylaws of the **Town**.

- (57) Upon a **Peddler License** being revoked or suspended, the **License Inspector** shall notify the holder of the **Peddler License** by delivering the notice personally and requiring the **Peddler** to surrender the **Peddler License**. Where personal delivery and surrender of the **Peddler License** is not possible, the notice may be sent by registered or certified mail to the place of business as shown on the **Peddler License**.

SEASONAL BUSINESS

- (58) A **Business License** for a **Seasonal Business** shall be applied for and be subject to the approval of the **Business License Inspector** or **Business License Issuer** prior to the **Person Carrying-on-Business** in the **Town**. A **Business License Fee** as set out in the Fees, Rates and Charges Bylaw for a **Seasonal Business** shall be paid to the **Town** at the time of the **Business License Application**.
- (a) The provisions of sections (66)(67) shall not apply to **Business License Fees** a **Seasonal Business**.

PART 4 EXEMPTIONS

- (59) Schools, not for profits, and charitable organizations hosting fundraising events, including door to door fundraisers, and using volunteers, are exempt from requiring a **Business License**.
- (60) The provisions of this Bylaw shall not apply to a **Person Carrying-on-Business** exempted by provincial or federal statutes or regulations.
- (61) A **Business License** is required of the **Mechanical Trade** and not to individual employees of the licensed **Mechanical Trade**.
- (62) The holder of a **Business License** issued for a **Craft or Trade Show** in which all participants are Not for Profit Organizations and where the proceeds of the **Craft or Trade Show** are stated to be utilized toward a project within the **Town**, may apply to the **Business License Inspector** for a refund of the **Business License Fee**.
- (63) **Garage Sales** shall be permitted without a **Business License** subject to the following:
- (a) A maximum of two garage sales in each calendar year may be conducted on each private residential property in the **Town**.
- (b) A **garage sale** must not be conducted for a period of more than three days, whether consecutive or not.
- (64) **Kid Stands** (i.e. lemonade stand) shall be permitted without a **Business License** subject to the following:
- (a) The persons running the stand are under the age of 12 years,
- (b) The persons receiving profit from the stand are under the age of 12 years,

- (c) That the stand is informal and without:
 - (i) Regular business hours;
 - (ii) Professionally produced promotional materials;
 - (iii) Professional equipment; and
 - (iv) Walls and roofs;
- (d) Hours of operation are limited from 10:00 AM to 8:00 PM; and
- (e) Are not operated during class time on a Prairie Rose School Division school day.

PART 5 BUSINESS LICENSE FEES

- (65) **Business License Fees** for a **Business License** are set in the in Schedule “B” to this bylaw.
- (66) For a new **Business License**, the **Business License Fees** are payable when they are applied for as follows:
- (a) between the 1st day of January and the 31st day of August in any **Business License Year** the **Business License Fee** shall be amount for the full year;
 - (b) between the 1st day of September and the 30th day of November in any **Business License Year** the **Business License Fee** shall be one-half the amount for the full year;
 - (c) after the 1st day of December the **Business License Fee** shall be 110% of the **Business License Fee** for the current **Business License Year** and the **Business Licensee** shall be for the date of issue until midnight on December 31 of the next **Business License Year**.
- (67) **Business License Fees** for renewal of an existing **Businesses License** become due on January 1 of the new **Business License Year**. Where a **Business License Fee** for renewal of a **Business License** has not been received by the **Town** before the first day of March of the new **Business License Year**, the **Business License** will be cancelled.

PART 6 OFFENCES, ENFORCEMENT AND PENALTIES

OFFENCES

- (68) Any Person who contravenes any provision of this Bylaw is guilty of an offense punishable by issuance of:
- (a) A summons/violation ticket (Part 2); or
 - (b) An offense notice/violation ticket (Part 3).
- (69) Any notice, violation or summons ticket will be served by a **Bylaw Enforcement Officer** or a **Peace Officer** in accordance with the provisions of the Provincial Offences Procedure Act.

ENFORCEMENT

- (70) Where a **Peace Officer, Bylaw Enforcement Officer** or **Business License Inspector** believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) Enter the business to investigate;
 - (b) Request to see the copy of the **Business License** and any other documentation required as part of a **Business License** under this Bylaw;
 - (c) At their discretion, give **the Person** in contravention of this Bylaw 24 hours to correct the contravention;
 - (d) Serve upon the **Person** a written violation notice; or
 - (e) Commence proceedings by issuing ticket as outlined in Section (68).
- (71) Nothing in this Bylaw shall be construed as curtailing or abridging the right of the **Town** to obtain compensation or to carry out an action for loss of or damages to property from or against the **Person** responsible.
- (72) A **Person** shall not be convicted of an offence if it is established upon a preponderance of the evidence that the **Person** took all reasonable steps under the circumstances to avoid the contravention of this Bylaw.
- (73) Nothing in this Bylaw shall be construed as preventing any **Peace Officer** or **Bylaw Enforcement Officer** from issuing a summons or offence notice under the Provincial Offences Procedure Act or otherwise initiating court process in any manner permitted by law, in respect of an alleged offence for which a violation ticket may be issued.

INSPECTION OF DOCUMENTS

- (74) Upon the request of a **Peace Officer** or **Bylaw Enforcement Officer**, a **Person** holding a **Business License** or **Peddler License** shall produce the **Business License** or **Peddler License** issued pursuant to this bylaw.
- (75) Information obtained from any document inspected by a **Peace Officer** or **Bylaw Enforcement Officer**, under the authority of this Section, and submitted by them as evidence in a prosecution for an alleged contravention of this Bylaw, shall be prima-facie accepted by the Court as true information without the necessity of proof of the signature or the official capacity of the **Person** who signed or authorized the document(s) from which the information was obtained.

PENALTIES

- (76) A ticket issued under (68) Section shall state the:
- (a) Provision of this Bylaw alleged to have been contravened; and
 - (b) Fine set out in Schedule A of this Bylaw.
- (77) A ticket shall be deemed to be sufficiently served for the purposes of this Section if:
- (a) Served personally on the **Person** alleged to have contravened the provision of this Bylaw set out in the violation notice;

- (b) Mailed to the address of the **Business Premises** in respect of which the offence is alleged to have been committed, in which case service is deemed to have occurred on the seventh day after mailing of the violation notice, the day of mailing excluded; or
- (c) Attached to or left upon the main door of the **Business Premises** of which the offence is alleged to have been committed by.

GENERAL

- (78) For the purposes of this Bylaw, a **Bylaw Enforcement Officer** is also a **Business License Inspector**.
- (79) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions. If any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- (80) If any provision of the Bylaw provides for an exception or an exemption, the onus or burden of establishing the exception or exemption in any Court proceedings shall be on the person charged with the offence under the Bylaw.
- (81) The **Town** of Redcliff Bylaw No. 1618/2009 is hereby repealed upon this Bylaw coming into effect.

Read a first time this 10th day of September, 2018

Read a second time this _____ day of _____, 2018

Read a third time this _____ day of _____, 2018

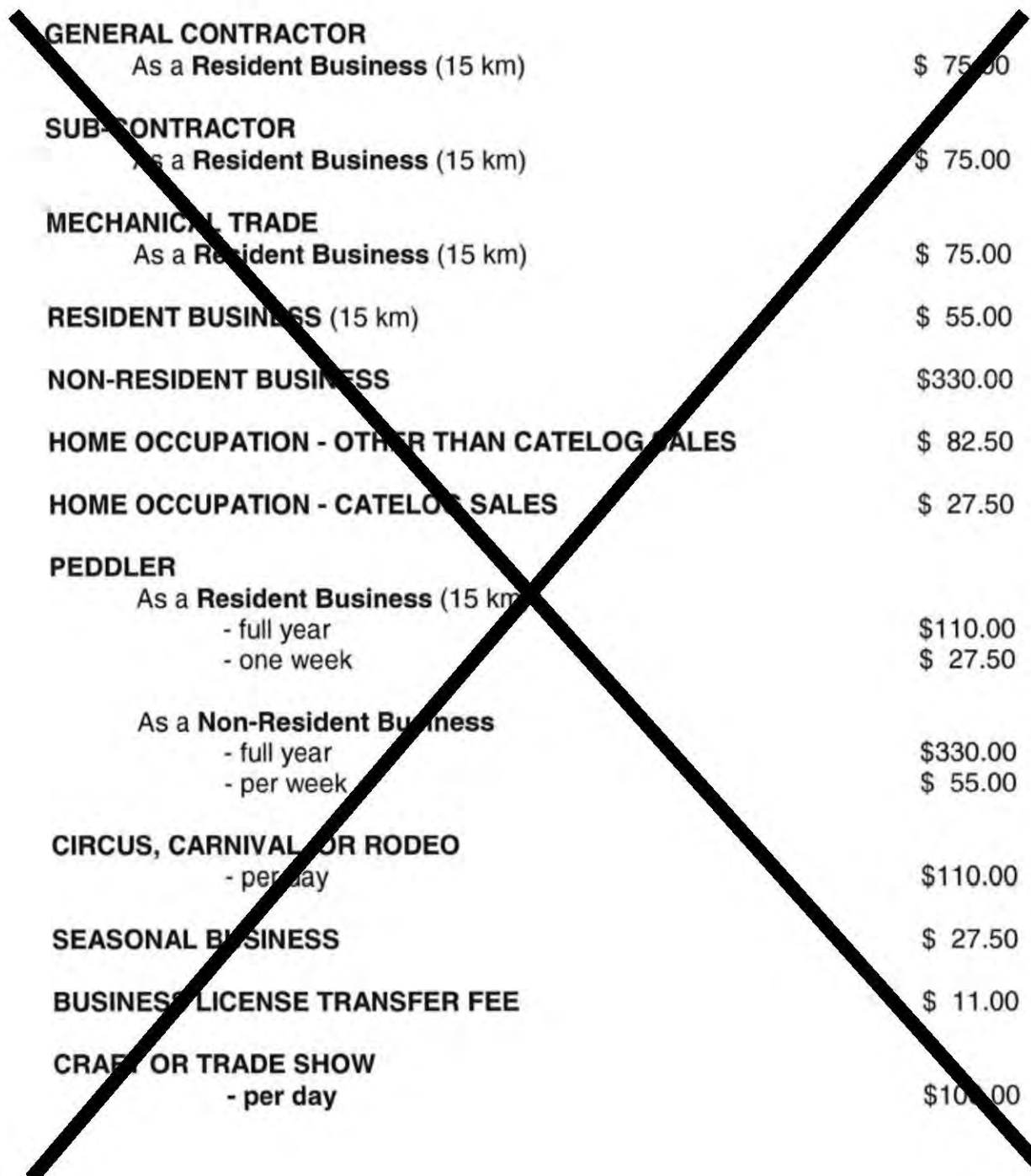
Signed and Passed this _____ day of _____, 2018

MAYOR

MANAGER OF LEGISLATIVE & LAND SERVICES

SCHEDULE A
Specified Fines

Section	Description of Offence	Fine
(5), (67)	Carrying-on-Business without a Business License	\$500.00
(15)	Failing to produce a Business License for inspection purposes to the Business License Inspector	\$250.00
(31), (37)	Failing to produce an updated employee list within 30 days of staff changes occurring	\$100.00
(45)	Parking an operational Mobile Food Vendor or Mobile Cooking Operation in a prohibited area	\$250.00/day
(44)	Parking an operational Mobile Food Vendor or Mobile Cooking Operation in a permitted area not defined on the Business Licensee's site plan	\$50.00/day
	Carrying-on-Business as a Peddler without a Peddler Business License	\$500.00
(55)	Carrying-on-Business as a Peddler outside of the designated hours	\$200.00/offence
Other Offences	Any other offence of this Bylaw not specified or listed in Schedule A	Min: \$50.00 Max: \$1000.00

SCHEDULE B
Permit Fees

GENERAL CONTRACTOR	
As a Resident Business (15 km)	\$ 75.00
SUB-CONTRACTOR	
As a Resident Business (15 km)	\$ 75.00
MECHANICAL TRADE	
As a Resident Business (15 km)	\$ 75.00
RESIDENT BUSINESS (15 km)	\$ 55.00
NON-RESIDENT BUSINESS	\$330.00
HOME OCCUPATION - OTHER THAN CATELOG SALES	\$ 82.50
HOME OCCUPATION - CATELOG SALES	\$ 27.50
PEDDLER	
As a Resident Business (15 km)	
- full year	\$110.00
- one week	\$ 27.50
As a Non-Resident Business	
- full year	\$330.00
- per week	\$ 55.00
CIRCUS, CARNIVAL OR RODEO	
- per day	\$110.00
SEASONAL BUSINESS	\$ 27.50
BUSINESS LICENSE TRANSFER FEE	\$ 11.00
CRAB OR TRADE SHOW	
- per day	\$10.00

**MINUTES OF THE REGULAR MEETING OF THE REDCLIFF TOWN COUNCIL
MONDAY, SEPTEMBER 10, 2018 at 7:00 P.M.**

PRESENT:	Mayor Councillors	D. Kilpatrick C. Czember, C. Crozier S. Gale, J. Steinke
	Municipal Manager Manager of Legislative & Land Services Director of Finance & Administration Director of Community & Protective Services Director of Public Services	A. Crofts (left at 8:11 p.m. rejoined at 8:26 p.m.) S. Simon (left at 7:53 p.m. rejoined at 8:29 p.m.) J. Tu (left at 7:22 p.m.) D. Thibault (left at 7:22 p.m.) C. Popick (left at 7:22 p.m.)
ABSENT:	Councillor:	L. Leipert, E. Solberg

1. GENERAL

	Call to Order	A) Mayor Kilpatrick called the regular meeting to order at 7:00 p.m.
2018-0336	Adoption of Agenda	B) Councillor Crozier moved the Agenda be adopted as amended to add Introduction of the new Director of Community & Protective Services under Item 1 General and add a Personnel Item under Item 8 In Camera. - Carried.
2018-0337	Accounts Payable	C) Councillor Czember moved the accounts payables for the Town of Redcliff and Redcliff/Cypress Regional Waste Management Authority, be received for information. - Carried.

2. MINUTES

2018-0338	Council meeting held August 20, 2018	A) Councillor Gale moved the minutes of the Council meeting held August 20, 2018, be adopted as presented. - Carried.
2018-0339	Special Municipal Planning Commission meeting held August 29, 2018	B) Councillor Steinke moved the minutes of the Special Municipal Planning Commission meeting held August 29, 2018, be received for information. - Carried.
2018-0340	Redcliff & District Recreation Services Board meeting held September 4, 2018	C) Councillor Crozier moved the minutes of the Redcliff & District Recreation Services Board meeting held September 4, 2018, be received for information. - Carried.
2018-0341	Municipal Development Plan Steering Committee meeting held July 25, 2018	D) Councillor Czember moved the minutes of the Municipal Development Plan Steering Committee meeting held July 25, 2018, be received for information. - Carried.

- 2018-0342 Municipal Development Plan Steering Committee meeting held August 22, 2018 **E)** Councillor Gale moved the minutes of the Municipal Development Plan Steering Committee meeting held August 22, 2018, be received for information. - Carried.

3. REQUEST FOR DECISIONS

- 2018-0343 Budget Process **A)** Councillor Czember moved to establish the dates for the Special Council meetings for the 2019 budget review as Wednesday, October 31, 2018 and Saturday, November 3, 2018 from 8:30 a.m. to 5:00 p.m. each day (ending time may vary dependent on Agenda). - Carried.

4. POLICIES

- 2018-0344 Policy 008, Water Meter Policy **A)** Councillor Crozier moved to approve Policy 008, Water Meter Policy, as presented. - Carried.
- 2018-0345 Policy 101, Water & Sewer Service Connection Inspection Policy **B)** Councillor Crozier moved to approve Policy 101, Water & Sewer Service Connection Inspection Policy, as presented. - Carried.

5. CORRESPONDENCE

- 2018-0346 Alberta Environment & Parks Re: Alberta Community Resilience Program (ACRP) **A)** Councillor Czember moved correspondence from Alberta Environment & Parks dated August 10, 2018 regarding Alberta Community Resilience Program (ACRP), be received for information. - Carried.
- 2018-0347 Safety City Re: Sponsorship Request **B)** Councillor Gale moved correspondence from Safety City dated August 13, 2018 regarding a sponsorship request, be received for information. - Carried.

6. OTHER

- 2018-0348 Memo to Council Re: Grazing Lease Petition **A)** Councillor Crozier moved the Memo to Council dated September 10, 2018 regarding Grazing Lease Petition, be received for information. - Carried.
- 2018-0349 Newsletter & Community Guide for the period September to December, 2018 **B)** Councillor Gale moved the Newsletter & Community Guide for the period September to December, 2018, be received for information. - Carried.

- 2018-0350 Redcliff/Cypress Regional Waste Management Authority
Re: Landfill Graphs to August 31, 2018
- C)** Councillor Crozier moved the Redcliff/Cypress Regional Waste Management Authority Landfill Graphs to August 31, 2018, be received for information. - Carried.
- 2018-0351 Council Important Meetings & Events September 10, 2018
- D)** Councillor Czember moved the Council Important Meetings & Events September 10, 2018, be received for information. - Carried.

7. RECESS

Mayor Kilpatrick called for a recess at 7:22 p.m.

The Director of Finance & Administration, Director of Public Services and Director of Community & Protective Services left the meeting at 7:22 p.m.

Mayor Kilpatrick reconvened the meeting at 7:29 p.m.

8. IN CAMERA (Confidential Session)

- 2018-0352
- Councillor Crozier moved to meet In Camera to discuss an Intermunicipal Collaborative Framework matter under Sections 21 and 24 of the *Freedom of Information and Protection of Privacy Act (FOIP)*; a Land matter under Section 24 of the *FOIP Act*; and a Personnel matter under Section 17 of the *FOIP Act* at 7:29 p.m. - Carried.
- Pursuant to Section 197(6) of the *Municipal Government Act*, the following members of Administration were in attendance in the closed meeting: Municipal Manager, Manager of Legislative and Land Services.
- Manager of Legislative & Land Services left the meeting at 7:53 p.m. and returned at 8:29 p.m.
- Municipal Manager left the meeting at 8:11 p.m. and returned at 8:26 p.m.
- 2018-0353
- Councillor Gale moved to return to regular session at 8:29 p.m. - Carried.
- 2018-0354 Land Transfer
Lot 11, Block 10, Plan 7711421
- Councillor Gale moved that Administration be authorized to transfer Lot 11, Block 10, Plan 7711421 (8 Industrial drive SE) conditional to consolidation with Lot 12, Block 10, Plan 7711421 per the September 15, 1980 Council motion. - Carried.

2018-0355 Municipal Manager
Leave of Absence

Councillor Gale moved to grant Arlos Crofts a partial leave of absence to December 31, 2018. - Carried.

9. ADJOURNMENT

2018-0356 Adjournment

Councillor Steinke moved to adjourn the meeting at 8:31 p.m.
- Carried.

Mayor

Manager of Legislative & Land Services

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION
WEDNESDAY SEPTEMBER 19, 2018 – 12:30 PM
TOWN OF REDCLIFF**

PRESENT:	Members:	B. Duncan, L. Leipert , S. Gale J. Steinke, B. Vine, J. Beach
	Development Officer:	B. Stehr
	Director of Planning & Engineering	J. Johansen
	Planning Specialist	J. Zukowski
	Technical Assistant/Recording Secretary	R. Arabsky
	Manager of Legislative & Land Services	S. Simon

ABSENT: Members: N. Stebanuk,

1. CALL TO ORDER

MPC Chairman Duncan called the meeting to order at 12:30 p.m.

2. ADOPTION OF AGENDA

J. Steinke moved that the agenda be adopted as presented. – Carried.

3. PREVIOUS MINUTES

L. Leipert moved the minutes of the Regular MPC meeting August 15, 2018 be adopted as presented. – Carried.

J. Steinke moved the minutes of the Special MPC meeting of August 29, 2018 be adopted as presented. – Carried.

4. REPORTS TO MPC

A) Dates Development Permits advertised in Cypress Courier.

a) August 28, 2018 and September 4, 2018

J. Beach moved the Development Permits advertised in the Cypress Courier for the August 28, 2018 and September 4, 2018 editions be received for information. – Carried.

B) Development Permit Applications approved/denied by Development Officer.

a) Development Permit Application 18-DP-033
Kelvin Roach
Lot 14-15, Block 1, Plan 8150AS (911 2 Street SE)
Approved: Boulevard Development

- b) Development Permit Application 18-DP-037
Amron Construction
Lot 4, Block 10, Plan 0913590 (910 9 Avenue SE)
Approved: Duplex c/w Garages
- c) Development Permit Application 18-DP-038
Redcliff Tiny Tots
Lot 11, Block 148, Plan 0714646 (115 Broadway Avenue W)
Approved: Building Playground at Pre-School
- d) Development Permit Application 18-DP-039
Lacey Homes Ltd.
Lot 21, Block 13, Plan 0913590 (935 Manor Place SE)
Approved: New Home c/w Attached Garage
- e) Development Permit Application 18-DP-043
TBC Contracting
Lot 6, Block 8, Plan 9912295 (114 Elbow Drive NE)
Approved: Addition
- f) Development Permit Application 18-DP-044
Blatz Homes Ltd.
Lot 45, Block 2, Plan 0213235 (54 Riverview Drive SE)
Approved: Covered Deck
- g) Development Permit Application 18-DP-045
Dwelling Places Inc.
Lot 30, Block 10, Plan 0913590 (940 Maskell Place SE)
Approved: Single Family Dwelling

S. Gale moved the list of development permit applications approved / denied by the Development Officer be received for information. – Carried.

C) Appeals of Development Decisions received since the last MPC Meeting.

L. Leipert moved to receive for information that no appeals of Development decisions have been received since the last MPC meeting. – Carried.

D) SDAB Decisions rendered since the last MPC Meeting.

L. Leipert moved to receive for information that no SDAB decisions have been rendered since the last MPC Meeting. – Carried.

E) Council Decisions and Direction related to the Land Use Bylaw since the last MPC.

J. Beach moved the report on Council Decision and direction related to the Land Use Bylaw since the last MPC meeting be received for information. - Carried.

F) Items Received for Information

J. Steinke moved to have the email correspondence from Canna Cabana dated September 14, 2018 be received for information. - Carried.

5. DEVELOPMENT PERMIT APPLICATION(S) FOR MPC CONSIDERATION

A) Development Permit Application 18-DP-042
Wilde Possibilities
NW ¼ Sec. 16-13-6-W4 (616 Mitchell Street N)
Shipping Containers

L. Leipert stated he had a pecuniary interest. Mr. Leipert refrained from discussion and voting and left the room at 12:35 p.m.

S. Gale moved that Development Permit Application 18-DP-042 for a Mini Storage Facility (Shipping Containers) be approved with the following conditions:

1. The Shipping Containers must maintain a minimum of 1.0 meters from the property line;
2. The Shipping Containers are to be a neutral color, and in good condition;
3. Access from proposed site onto Mitchell Street N. to be approved by the Director of Planning & Engineering and to meet the Town of Redcliff's construction standards;
4. A Site Drainage Plan approved by the Director of Planning & Engineering;
5. The Development Permit is valid for five (5) years;
6. The Town will issue a permit in year 4 if in the opinion of the Development Authority that the Shipping Container is not causing a negative impact on the adjacent properties, and still complies with the Site Plan, and the conditions of the Development Permit;
7. Where the Town finds that the conditions of the Development Permit &/or the Site Plan are not been met or that the use is causing undesirable impacts to the Town, the Town will issue a notice to the Applicant six (6) months in advance of the expiring permit, that the Town will not be automatically renewing the use and Development Permit. The notice to the Applicant must include:
 - i. The reasons the permit is not being renewed,
 - ii. The date of the permit expiring, and
 - iii. That if the Applicant wishes to continue with the use, the Applicant must make submit a new application for a Development Permit.
8. Should the Town fail to issue a new Development Permit before the expiration of this Development Permit the Development will automatically be renewed for another five (5) years.

- Carried.

L. Leipert rejoined the meeting at 12:48 p.m.

6. SUBDIVISION APPLICATION(S) FOR MPC CONSIDERATION**A) 2018 SUB 01 – Subdivision Application**

Town of Redcliff, Benchmark Geomatics Inc. (Agent)

Lot 5, Block A, Plan 0211147 (101 1 Street NE)

Subdivision Application to create a Public Utility Lot (PUL) to install an Underground Sanitary Surge Tank

J. Beach moved that MPC acting as the Subdivision Approving Authority approve Subdivision Application 2018 SUB 01 to create a Public Utility Lot (PUL) to install an Underground Sanitary Surge Tank with the following conditions:

1. All taxes paid, and
2. Properties Lot 6PUL, Block A, Plan 021 4367 and Lot 7PUL, Block A, Plan _____ are consolidated within six months of endorsement.

- Carried.

B) 2014 SUB 02 – Subdivision Extension

FarWest Land and Properties Inc.

Lot 4-20, Block 99, Plan 1117V (110, 114 & 122 5 Street NW)

Subdivision Application Extension

L. Leipert moved that MPC acting as the Subdivision Approving Authority grant FarWest Land and Properties Inc. a six (6) month extension for subdivision application 2014 SUB 02.
- Defeated.

7. ITEMS FOR MPC COMMENT

Chairman B. Duncan confirmed there were no items presented for MPC comment.

8. ADJOURNMENT

J. Steinke moved adjournment of the meeting at 1:11 p.m. – Carried.

Chairman

Recording Secretary

**REDCLIFF FAMILY AND COMMUNITY SUPPORT SERVICES
BOARD MEETING
Town Council Chambers Town Office
September 11th, 2018 at 4:30 pm**

PRESENT:

Chairperson	Mandy McAlpine
Council Representative	Cathy Crozier
Community Services	Carla Spampinato Derrin Thibault
Absent	Meredith Conboy

1. GENERAL

- A)** Meeting called to order at 4:32pm.
- B)** C. Crozier moved to adopt the agenda as presented. – Carried.

2. MINUTES

- A)** C. Crozier moved the April 10th 2018 minutes, adopted as presented. – Carried.

3. DELEGATION – None

4. OLD BUSINESS – None

5. NEW BUSINESS

2018 Programming Review

- A)** M. McAlpine moved to receive as information – Carried.

6. CORRESPONDENCE – None

7. UPCOMING MEETING / CONFERENCE / WORKSHOPS - None

Next Meeting

- 8. DATE OF NEXT MEETING-** October 9, 2018 5pm

Adjournment

9. ADJOURNMENT

- A)** M. McAlpine moved to adjourn the meeting at 5:00 pm.- Carried

**REDCLIFF/CYPRESS REGIONAL WASTE MANAGEMENT AUTHORITY MEETING
THURSDAY, SEPTEMBER 6, 2018 - 1:00 P.M.
REDCLIFF TOWN COUNCIL CHAMBERS**

PRESENT:	Town of Redcliff:	Councillor	C. Crozier
		Councillor	L. Leipert
		Landfill Treasurer	J. Tu
		Landfill Manager	C. Popick
		Landfill Secretary	S. Simon
	Cypress County:	Councillor	A. Belyea
		Councillor	S. Hok
		Director of Public Works	C. Richter
		Public Works	
		Operations Supervisor	K. Dalton

ABSENT:

1. CALLED TO ORDER

C. Popick, Landfill Manager called the meeting to order at 1:01 p.m.

2. ELECTION OF CHAIRPERSON

A. Belyea nominated C. Crozier to be Chairperson. C. Crozier accepted.

3. ADOPTION OF AGENDA

L. Leipert moved the agenda be adopted as presented. - Carried.

4. MINUTES OF PREVIOUS MEETING

S. Hok moved the minutes of the meeting held on May 7, 2018, be adopted as presented. - Carried.

5. NEW BUSINESS

A) Landfill Operating Approval

L. Leipert moved the email of Ping Zhao, Industrial Approvals Engineer with Alberta Environment and Parks dated August 28, 2018, regarding the signed Operating Approval (Renewal), be received for information. - Carried.

K. Dalton arrived at 1:07 p.m.

B) Landfill Design update (Transfer site, scales, operations building, dome tent)

A. Belyea moved the presentation of the Landfill Design Update by the Landfill Manager including Landfill Design drawings and Cost estimate, be received for information. - Carried.

C) i) 2019 Operating / Capital Budget

L. Leipert moved the proposed 2019 Operating and Capital Budget be approved as presented. – Carried.

ii) **Loan Request**

A Belyea moved that the Redcliff/Cypress Regional Waste Management Authority borrow \$2M, \$1M each from Town of Redcliff and Cypress County, and submit a request to them for their approval. - Carried.

S Hok moved with regard to the Landfill Design that the Landfill Manager proceed with Option A, B, C, and Option E as amended so that flooring be half asphalt or concrete versus a quarter concrete. – Carried.

D) **Memo – 1.25 GIC Investment with Alberta Treasury Branch**

L. Leipert moved Memo from the Landfill Treasurer dated September 6, 2018, regarding a \$1.25M GIC investment with Alberta Treasury Branch, be received for information. - Carried.

E) **Policy 001, Tonnage Rate Policy**

L. Leipert moved to approve Policy 001, Tonnage Rate Policy, as presented. – Carried.

F) **Landfill Manager's Report**

A. Belyea moved the Redcliff/Cypress Department Report to September 1, 2018 be received for information. -Carried.

G) **GHD Group – Executive Summary Regionalization Study**

S. Hok moved the GHD Group Executive Summary Regionalization Study be received for information. – Carried.

H) **2018-2019 Collection Site Advertising Grant**

L. Leipert moved the Alberta Recycling Management Authority letter and email dated June 7, 2018 regarding the 2018-19 Registered Municipal Collection Site Advertising Grant Approval, be received for information. - Carried.

I) **Landfill Graphs to July 31, 2018**

A Belyea moved the Redcliff/Cypress Regional Landfill Graphs to July 31, 2018, be received for information. – Carried.

6. **ADJOURN**

L. Leipert moved adjournment of the meeting at 2:06 p.m. - Carried.

Chairman

Secretary



MDP STEERING COMMITTEE MINUTES

DATE: September 19, 2018 4:30pm
LOCATION: Redcliff Town Hall Council Chambers

PRESENT:

Members:

Tonya Mori, Emily Stock, Bruce Vine,
Dwight Kilpatrick, William Crozier,
Derrin Thibault

Director of Planning & Engineering:

James Johansen

Planning Specialist:

Jordan Zukowski

ABSENT:

Members:

Wendy Harty, Arnold Frank

1. GENERAL

A. CALL TO ORDER

T. Mori called the meeting to order at 4:40pm

2. CONSENT AGENDA

A. ADOPTION OF AGENDA

B. PREVIOUS MEETING MINUTES

B. Crozier moved to adopt the consent agenda

- carried

3. FOR COMMENT/DISCUSSION

A. SMALL TOWN FEEL WRITE-UP

- General Comments:

- Elaborate on fourth bullet – sidewalks are wide and provide safety, signage
- Remove “school” from tenth bullet and create separate statement – stable school system fosters community pride and contributes to sense of community

- Adjust wording of eleventh bullet – big box stores are welcome in appropriate areas, and with human-scale development standards taken into account

B. 9th AVENUE 3D CONCEPT

Members were shown the 3D concept flyover video of 9th Avenue. Members were in general agreement that the 3D concept reflected the ideal Redcliff *small town feel*.

C. MDP DOCUMENT ORGANIZATION

Members were led through an overview of the draft Municipal Development Plan table of contents in preparation for subsequent meetings.

4. NEXT MEETING

Wednesday, August 22 at 4:30pm in Redcliff Town Hall Council Chambers

5. ADJOURNMENT

B. Vine moved to adjourn the meeting at 5:25pm

- carried

TOWN OF REDCLIFF
REQUEST FOR DECISION

DATE: September 24th, 2018

PROPOSED BY: Planning & Engineering Department

TOPIC: Bylaw 1868/2018, Smoke-Free Bylaw

PROPOSAL: That council consider giving second and third reading to the proposed Smoke-Free Bylaw

BACKGROUND:

Since the first reading of Bylaw 1868/2018 - Smoke-Free Bylaw Administration advertised for a non-statutory public hearing to be held during the regularly scheduled Council Meeting of September 24, 2018. At the time of writing this request for decision no comments have been received.

Note: The following background is included from the previous RFD to allow for ease of access to the information.

Federal legalization of recreational cannabis is October 17, 2018. Municipalities like Redcliff have authority over where public consumption of cannabis is permitted.

Currently the Town of Redcliff does not have a smoking bylaw and follows regulations set in the Alberta Tobacco and Smoking Reduction Act. Municipalities have had in the past, and continue to have, the option to adopt a smoking bylaw if desired. The more restrictive regulations prevail in the case of a conflict between provincial and municipal smoking regulations.

Cannabis lounges and the sale of cannabis edibles will not be legal on October 17, 2018. The federal government indicated cannabis lounges and edibles will be legal within one year of the original cannabis legalization date; however, this is subject to change. There are no restrictions on a person making or consuming their own cannabis edibles under current laws.

Smoking in cannabis lounges and the consumption of cannabis edibles were considered out of the scope of the Smoke-Free Bylaw because they are not yet legal. Additionally, homemade cannabis edibles have little to no scent and are considered less of a nuisance than smoking cannabis. Edibles also come with enforcement challenges because it can be hard to differentiate cannabis edibles from other foods.

BYLAW DEVELOPMENT PROCESS & CONSULTATION:

Research

Resources from the Alberta Urban Municipalities Association (AUMA), Brownlee LLP, the Federation of Canadian Municipalities, the Alberta Gaming and Liquor Commission, Health Canada, Alberta Health Services, and various municipalities in Alberta were reviewed and considered prior to drafting the proposed Smoke-Free Bylaw.

Council Involvement

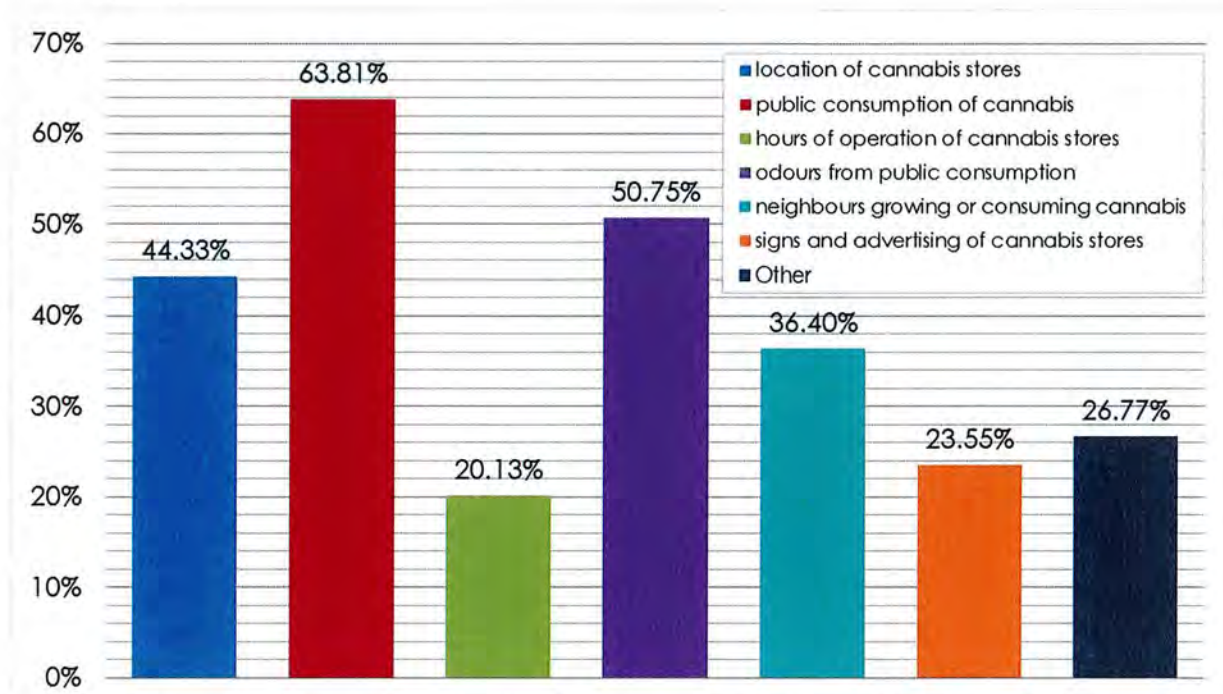
Ten requests for decision related to cannabis legalization were brought to council on April 9th to provide Administration with policy direction. Council was also provided with the public engagement results, for information, on April 9th.

Public & Stakeholder Involvement

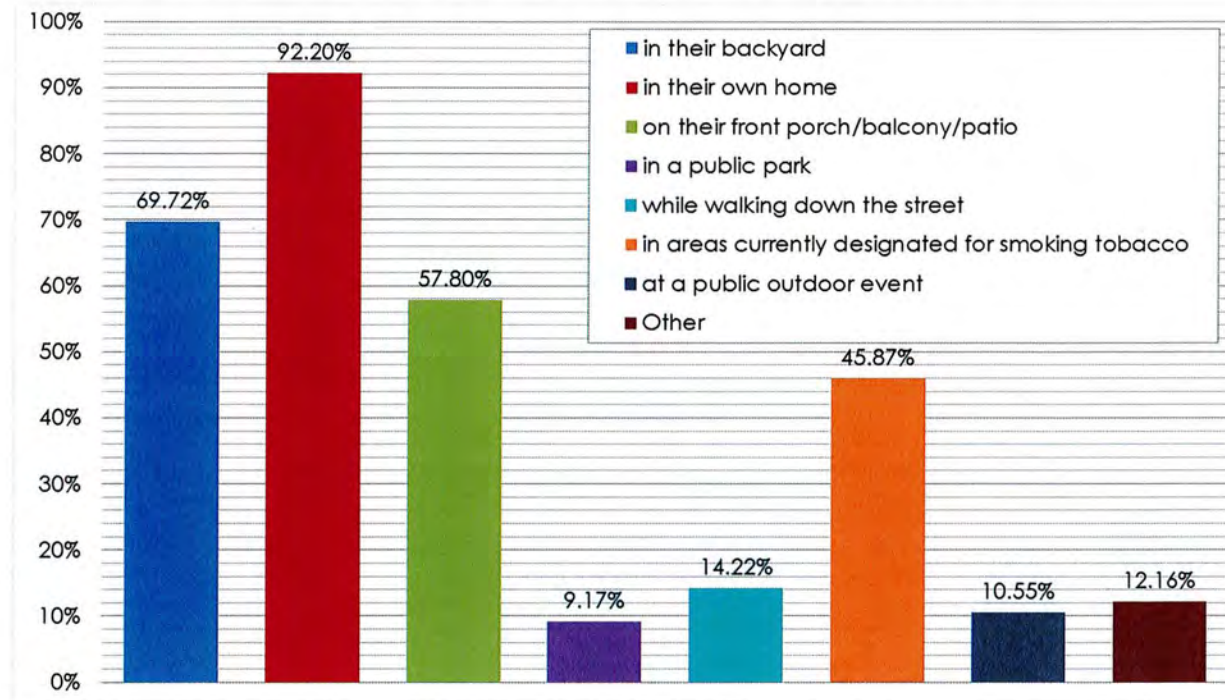
A public survey was released on March 6th and collected 467 responses before closing on March 31st. Additionally, two open houses on cannabis legalization were held at Town Hall on March 15th and 20th. Planning and Engineering worked closely with Bylaw Enforcement to develop the Smoke-Free Bylaw. Administration also met with representatives from the RCMP and neighbouring municipalities to discuss approaches to addressing cannabis legalization.

Public Survey Highlights

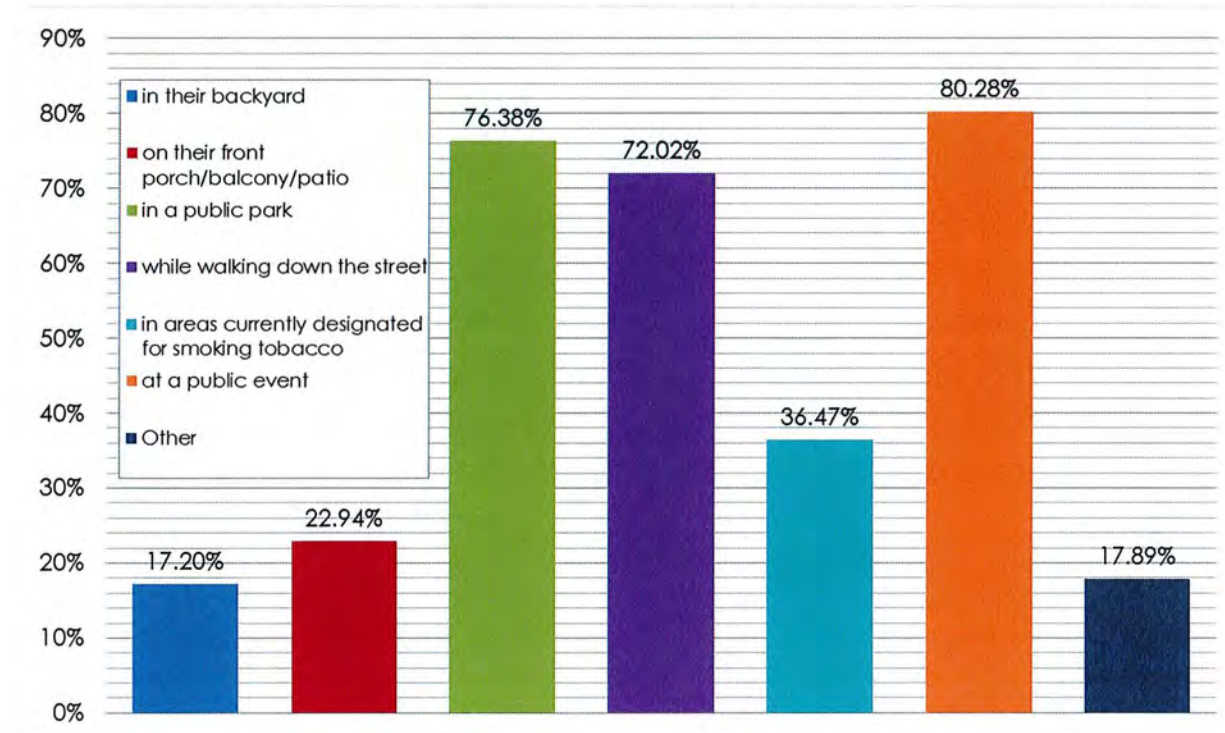
- the two largest concerns with cannabis legalization amongst survey respondents were public consumption of cannabis (64%), and odours from public consumption of cannabis (51%).



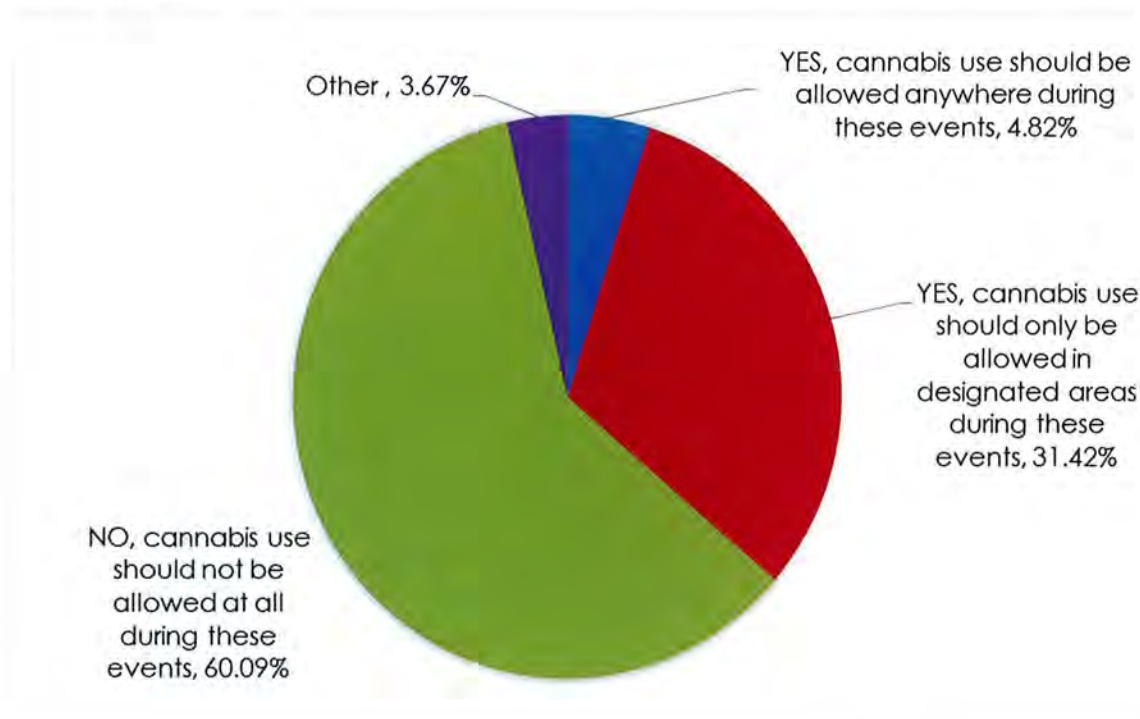
- survey respondents felt it was most acceptable for people to consume cannabis in their own home (92%), and on their private property (front porch, backyard, patio).



- survey respondents felt it was least acceptable for people to consume cannabis at a public event (80%), in a public park (76%), and while walking down the street (72%).



- Over 60% of respondents felt cannabis use should not be allowed at all during public events.



ALTERNATIVES & ANALYSIS

There are multiple approaches the Town of Redcliff may take in regards to regulating smoking in preparation for cannabis legalization. Three main options, and the pros and cons of each, are outlined in the table below.

OPTION	PROS	CONS
1. Business As Usual Follow the provincial regulations set in the Tobacco and Smoking Reduction Act, and do not enact a municipal smoking bylaw	<ul style="list-style-type: none"> consistency with provincial laws time and money saved by the municipality by not creating, enforcing, and educating the public on a new bylaw 	<ul style="list-style-type: none"> the provincial smoking regulations have many gaps, as outlined in Attachment 4 (i.e. nicotine vaping is not covered) option 1 fails to address survey respondent concerns with smoking cannabis at outdoor events and in public parks
2. City of Calgary Approach Create a municipal smoking bylaw, and have separate rules for smoking tobacco and cannabis, with cannabis rules the more stringent	<ul style="list-style-type: none"> covers the gaps in provincial smoking regulations cannabis is treated like alcohol, with public consumption banned prevents exposure to cannabis and associated odours in all public places 	<ul style="list-style-type: none"> possible public confusion if a public smoking area only permits certain types of smoking and bans others possible enforcement issues may arise in trying to determine what substance a person is smoking, as only certain substances are permitted to be smoked in public doesn't accommodate those with a medical marijuana prescription, legal advisors note an exception would have

OPTION	PROS	CONS
		to be made for those with a prescription to smoke in public, possibly causing enforcement confusion
3. AHS Recommended Approach Create a municipal smoking bylaw, and align regulations for all types of smoking	<ul style="list-style-type: none"> ▪ recommended option by Alberta Health Services and Action on Smoking and Health ▪ covers the gaps in provincial smoking regulations ▪ clear rules for the public to follow because regulations are the same regardless of which substance is smoked ▪ eliminates confusion where it may be difficult for law enforcement to determine which substance is being smoked ▪ regardless of the substance, all odours caused by smoking may be considered a nuisance, and should be treated equally ▪ removes smoking from most public places, while still permitting some discrete places for consumption outside of a private residence, which also accommodates those with medical marijuana prescriptions ▪ alignment with student engagement in September 2017, which noted the desire for smoke-free parks, regardless of the substance being smoked 	<ul style="list-style-type: none"> ▪ some public exposure to cannabis and associated odours may occur ▪ cannabis is not treated like alcohol and is permitted in certain public areas

Chosen Option

Option 3

SUMMARY OF PROPOSED SMOKE-FREE BYLAW REGULATIONS UNDER OPTION 3:

- The name “Smoke-free Bylaw” was chosen to emphasize the restrictions on smoking outlined in the bylaw, rather than denote a total smoking ban, and align with smoking bylaw names from other Albertan municipalities adopting similar regulations. Council has the ability, if desired, to change the name of the bylaw. Possible other bylaw names could be “Smoking Bylaw”, “Smoke-Free Public Places Bylaw”, or “Smoking Regulations Bylaw”.
- The definition of smoking is comprehensive, covering tobacco, cannabis, shisha, herbs, and e-liquid substances. The definition of smoking includes cigarettes, vapourizers, vaping, cigars, hookahs, and pipes.
- Smoking is permitted only:
 - In a Private Residence;
 - Along a sidewalk, roadway, or street, or in a parking lot at least 10 metres away from a Park or Recreational Area, or exit, doorway, openable window, or air intake of a Public Place or Workplace; and

- In a Designated Smoking Area.
- Smoking is not permitted in a:
 - Public Place;
 - Public Vehicle;
 - Vehicle with a Minor;
 - Workplace; or
 - Within 10 metres from a Park or Recreational Area, or exit, doorway, openable window, or air intake of a Public Place or Workplace.
- A Proprietor of a property may apply for a development permit to create a Designated Smoking Area, in accordance with the provisions of the Smoke-Free Bylaw.
- A Proprietor is required to post “No Smoking” and “Designated Smoking Area” signs on their property.
- Regulations prohibiting the Disposal of Smoking products, substances, and accessories for fire prevention and litter control.
- Fine of \$100.00 for smoking in a prohibited area as per Council resolution on April 9th, 2018.
- Large fines for littering and for Proprietors in contravention of the Bylaw.

SUMMARY/CONCLUSION:

The Smoke-Free Bylaw balances the need to eliminate the nuisance of all types of smoking and vaping, while still permitting smoking and vaping in certain public areas such as sidewalks and Designated Smoking Areas. Administration recommends Council adopt the Smoke-Free Bylaw to create comprehensive regulations for smoking and vaping of all substances, simplify enforcement, and promote a smoke-free municipality. POLICY/LEGISLATION:

Federal: Bill C-45, the Cannabis Act

Provincial: Bill 26, An Act to Control and Regulate Cannabis

O.C. 027/2018, Gaming and Liquor Amendment Regulation

Bill 6, Gaming and Liquor Statutes Amendment Act

STRATEGIC PRIORITIES:

N/A

ATTACHMENTS:

1. Proposed Smoke Free Bylaw 1868/2018
2. Alberta Tobacco and Smoking Reduction Act
3. What We Heard Report on Cannabis Survey Results
4. Alberta Provincial Restrictions on Smoking/Vaping based on Product Type & Location (gaps in current Alberta Tobacco and Smoking Reductions Act)

5. Selected Tobacco/Smoking Restrictions in Alberta Municipalities

OPTIONS:

1. Council give second reading to Bylaw 1868/2018.
2. Council give second and third reading to Bylaw 1868/2018.
3. Council not give second reading to Bylaw 1868/2018.


RECOMMENDATION:

Option 2

SUGGESTED MOTION(S):

1.
 - i) Councillor _____ moved Bylaw 1868/2018, Smoke Free Bylaw be given second reading.
 - ii) Councillor _____ moved Bylaw 1868/2018, Smoke Free Bylaw be given third reading.

SUBMITTED BY:



Department Head



Municipal Manager

**BYLAW NO: 1868/2018
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, TO REGULATE PUBLIC PLACES AND WORKPLACES WITHIN THE TOWN OF REDCLIFF TO BE SMOKE-FREE.

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26, Council may pass a Bylaw respecting the safety, health and welfare of people, and the protection of people and property, and for purposes respecting nuisances.

AND WHEREAS it has been determined second-hand smoke produced from tobacco consumption, cannabis consumption, vaping, and other similar activities can be a nuisance and is a health hazard for inhabitants of the Town of Redcliff.

AND WHEREAS the Council of the Town of Redcliff, duly assembled, deem it is in the best interest of promoting the health, safety and welfare of the public to regulate the locations where vaping and the smoking of tobacco, cannabis, and related substances can occur within the municipal corporate limits.

NOW THEREFORE, the Council of the Town of Redcliff in open meeting assembled, enacts as follows:

**PART 1
SHORT TITLE & DEFINITIONS**

SHORT TITLE

- (1) This Bylaw may be cited as the "Smoke-Free Bylaw".

DEFINITIONS

- (2) The following Acts and Regulations are referenced in this Bylaw and are referred to in this Bylaw by their short title as listed below:

	Act or Regulation	Short Title
(a)	Controlled Drugs and Substances Act, R.S.C. 1996, Chapter 19, and its regulations, as amended or replaced	Controlled Drugs and Substances Act
(b)	Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34, and its regulations, as amended or replaced	Provincial Offences Procedure Act
(c)	Alberta Gaming, Liquor and Cannabis Act, R.S.A 2000, Chapter G-1, and its regulations, as amended or replaced	Gaming, Liquor and Cannabis Act

(d)	Alberta Tobacco and Smoking Reduction Act, R.S.A. 2005, Chapter T-3.8, and its regulations, as amended or replaced	Alberta Tobacco and Smoking Reduction Act
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DEFINITIONS

- (3) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (2) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (4) In this Bylaw:
- (a) **BYLAW ENFORCEMENT OFFICER** means a person appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town** or their designate;
 - (b) **CAMPGROUND** means any area designated by **Council** as a site intended for use by camping accommodation units on a temporary basis.
 - (c) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.
 - (d) **COMMON ACCESS DOOR** means a building access and or egress door that may be used by the public or workers to access a **Public Place** or **Workplace**.
 - (e) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
 - (f) **DESIGNATED SMOKING AREA** means a specified area where **Smoking** is permitted and which **Minors** are not permitted to enter.
 - (g) **DISPOSE** means the dumping, discharging, throwing, dropping, discarding, abandoning, spilling, leaking, pumping, pouring, emitting or emptying of any substance or material.
 - (h) **HOTEL** means an overnight accommodation facility, including an inn, guesthouse or bed and breakfast.
 - (i) **LICENSED PREMISES** means licensed premises as defined under the Gaming, Liquor and Cannabis Act, including an outdoor eating or drinking area that is part of or operated in conjunction with the premises.
 - (j) **MINOR** means a person under the age of 18 years.
 - (k) **MUNICIPAL BUILDING** means any of the buildings owned, leased, operated or occupied by the Town.
 - (l) **MANAGER** means a **Person** appointed to the position of Chief Administrative Officer for the **Town** by **Council** and known as the Municipal **Manager**.

- (m) **PARK AND RECREATIONAL AREA** means any indoor or outdoor space controlled, developed, or designated by the **Town** to be used for rest, recreation, exercise, pleasure, amusement, or enjoyment, including a public park, playground, sports field, campground common area, recreational area, pool, arena, skate or bicycle park, ice rink, water playground, court, or pathway in the trail system, but excludes individual campsites.
- (n) **PEACE OFFICER** means **Peace Officer** as defined in Provincial Offences Procedure Act.
- (o) **PERSON** means any corporation, firm, partnership, association or registered company, as well as a natural **Person**.
- (p) **PRIVATE RESIDENCE** means a self-contained living premise for domestic use of one or more persons and is provided with a separate private entrance from the exterior of a building or from a common hall, lobby or stairway. A **Private Residence** also includes an individual campsite in a campground.
 - (i) a **Private Residence** is a **Workplace** if a home business is operated from the residence only at the time when employees or patrons who do not live in the residence are present; and
 - (ii) only that part of a **Private Residence** in which the business is operated is a **Workplace** for the purposes of this Bylaw.
- (q) **PROPRIETOR** means the owner, tenant, or occupant of a property or part of a property or their agent or representative, and includes any **Person** in charge thereof or any **Person** who controls, manages, governs or directs the activity carried on therein.
- (r) **PUBLIC VEHICLE** means transit buses, school buses, chartered buses, **Town** vehicles, and taxis, except when the only person in the taxi is the taxi driver.
- (s) **PUBLIC PLACE** means all or any part of a property, building, structure, or other indoor or outdoor area to which members of the public have access as of right or by express or implied invitation including:
 - (i) Common areas of a multi-unit residential facility, including parks, patios, pools, other recreation areas and enclosed parking garages;
 - (ii) An outdoor bus or taxi shelter;
 - (iii) School buildings, grounds, and parking areas;
 - (iv) **Licensed Premises;**
 - (v) **Restaurants;**
 - (vi) Outdoor areas of a **Restaurant**, such as a patio, where eating or consumption of alcohol is permitted;
 - (vii) **Hotels;**
 - (viii) **Park and Recreational Areas;**
 - (ix) **Libraries;**

- (x) **Municipal Buildings;**
 - (xi) Public entrances to multi-unit residential facilities, public buildings, **Licensed Premises, Restaurants, Hotels, Workplaces**, and commercial buildings; and
 - (xii) A walkway, patio, or deck on the site of a **Public Place** used by the public to access the **Public Place**;
- but does not include a **Private Residence**, sidewalk, roadway, or street, or parking lot.
- (t) **RESTAURANT** means a place where food or beverages are prepared for consumption on the premises.
 - (u) **SMOKE OR SMOKING** means to inhale, exhale, burn, smoke, vape, hold, or otherwise have control over a lit or active cigarette, e-cigarette, vapourizer, cigar, pipe, hookah pipe, or other lighted or heated device or apparatus designed to burn or heat tobacco, cannabis, shisha, e-liquid, concentrate, dried herb, or any other substance for the purpose of inhaling or tasting omissions; irrespective of whether the **Person** is inhaling or exhaling the smoke or vapour emitted from it.
 - (v) **TOWN** means the municipal corporation of the **Town** of Redcliff or the area contained within the **Town** boundaries as the context requires.
 - (w) **WORKPLACE** means all or any part of a property, building, structure or other enclosed area in which employees perform the duties of their employment, whether or not members of the public have access to the building, structure or area as of right or by express or implied invitation, and includes reception areas, corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms, lounges, storage areas, laundry rooms, enclosed parking garages, walkways and decks on the site used to access the **Workplace**, and work vehicles.

PART 2 REGULATIONS

SMOKING PROHIBITED

- (5) No person shall **Smoke** in a:
 - (a) **Public Place**;
 - (b) **Public Vehicle**;
 - (c) vehicle with a **Minor**;
 - (d) **Workplace**; or
 - (e) Within 10 metres (approximately 32 feet) of:
 - (i) The boundary of a Park and Recreational Area; or
 - (ii) Any entrance, exit, doorway, openable window, or air intake of a **Public Place** or **Workplace**;

Regardless of whether or not a "No Smoking" sign is posted or visible.

- (6) No **Proprietor** shall permit smoking in any place listed previously in Section (5), whether or not a “No Smoking” sign is posted or visible.

SMOKING PERMITTED

- (7) Smoking is permitted, unless otherwise stated in this Bylaw:
- (a) In a **Private Residence**;
 - (b) Along a sidewalk, roadway, or street;
 - (c) In a parking lot; and
 - (d) In a **Designated Smoking Area**.

DESIGNATED SMOKING AREAS

- (8) A **Proprietor**, at their discretion, may apply for a Development Permit to create a **Designated Smoking Area** in a **Public Place** or **Workplace**.
- (9) A **Designated Smoking Area** must:
- (a) Be screened from the view of the general public,
 - (b) Not be closed in by a roof or ceiling and walls that prevent natural air circulation;
 - (c) Be equipped with one or more doors which are kept closed except when actually in use for ingress or egress;
 - (d) Be 10 metres (approximately 32 feet) from any **Common Access Door**, openable window, or air intake of a **Public Place** or **Workplace**; and
 - (e) Not include food or beverage service.
 - (f) Not have cleanup or trash removed while smoking is permitted.
- (10) Notwithstanding sections (5)(e) and (9)(d), a **Designated Smoking Area** may be placed within 3 metres (approximately 10 feet) of a door provided that:
- (a) The door is not a **Common Access Door** to the **Public Place** or **Workplace**;
 - (b) Warning signs are posted on or adjacent to the door on the side that is away from the **Designated Smoking Area**, that the door opens to a **Designated Smoking Area**;
 - (c) The door has a functioning automatic closer and is only open when the door is being used for access and egress from the **Designated Smoking Area**; and
 - (d) The door is in an area that is at least 5 metres (approximately 16 feet) away where **Minors** are permitted on the side of the door away from the **Designated Smoking Area**.
- (11) No **Proprietor** shall permit a **Minor** to enter a **Designated Smoking Area**.

SIGNAGE

- (12) A **Proprietor** shall ensure that signs indicating smoking is prohibited are conspicuously and continuously posted, and clearly visible and legible to all persons entering the property.

- (13) A **Proprietor** of a property or part of a property in which smoking is permitted shall ensure signs indicating a **Designated Smoking Area** are conspicuously and continuously posted, and clearly visible and legible to all persons entering the property or part of the property.
- (14) Only a **Proprietor** or a **Person** acting under the **Proprietor's** instructions shall remove, alter, deface, conceal or destroy a sign that is posted or displayed under this Bylaw.

LITTERING

- (15) No **Person** shall **Dispose** of or allow the **Disposing** of any product or substance, or part of a product or substance, **Smoked** or used to **Smoke**, anywhere in the **Town**, other than in:
 - (a) a garbage receptacle provided for the containment of litter for material that is not burning, or
 - (b) In a special receptacle provided for and marked for the receiving of burning materials.

PART 3 OFFENCES & PENALTIES

OFFENCES

- (16) Any **Person** who contravenes any provision of this Bylaw is guilty of an offense punishable by issuance of either a summons/violation ticket (Part 2) or an offense notice/violation ticket (Part 3) in accordance with the provisions of the Provincial Offenses Procedure Act of Alberta as amended.

PENALTIES

- (17) A ticket issued under section (16) shall:
 - (a) state the provision of this Bylaw alleged to have been contravened; and
 - (b) state the fine set out in Schedule "A" to this Bylaw.
- (18) A ticket shall be deemed to be sufficiently served for the purposes of this Section if:
 - (a) Served personally on the **Person** alleged to have contravened the provision of this Bylaw set out in the violation notice;
 - (b) Mailed to the address of any registered owner of the vehicle in respect of which the offence is alleged to have been committed, in which case service is deemed to have occurred on the seventh day after mailing of the violation notice, the day of mailing excluded; or
 - (c) Attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.

GENERAL

- (19) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions and if any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, then all other provisions of this Bylaw shall remain valid and enforceable.
- (20) When there is a conflict between a provision of this Bylaw and the Alberta Tobacco and Smoking Reductions Act, the more restrictive provision prevails.
- (21) It is the intention of Council that if any portion of this Bylaw be declared invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw shall remain valid and enforceable.
- (22) If any provision of the Bylaw provides for an exception or an exemption, the onus or burden of establishing the exception or exemption in any Court proceedings shall be on the person charged with the offence under the Bylaw.

READ a first time this 10th day of September 2018 A.D.

READ a second time this _____ day of _____ 2018 A.D,

READ a third time this _____ day of _____ 2018 A.D,

PASSED and **SIGNED** this _____ day of _____ A.D, 2018

MAYOR

MANAGER OF LEGISLATIVE & LAND SERVICES

Schedule “A”: Fines

Nature of Offence	Section	Penalty
Smoking in a prohibited area	(5)	\$100.00
Proprietor allowing Smoking in a prohibited area	(6)	\$500.00
Designated Smoking Area not set up or located in adherence with the regulations of this bylaw.	(8), (9), (10)	\$1,000.00
Per incident of a Proprietor allowing a Minor to enter a Designated Smoking Area	(11)	\$100.00
Proprietor allowing the serving beverages or food in a Designated Smoking Area	(9)(e)	\$250.00
Proprietor allowing Persons under his employ to clean up the Designated Smoking Area or remove trash from the Designated Smoking Area while smoking is permitted.	(9)(f)	\$250.00
Failure to comply with no Smoking signage requirements	(12), (14)	\$50.00
Failure to comply with Designated Smoking Area signage requirements	(10)(b), (13), (14)	\$250.00
Improper disposal of Smoking products or substances including starting a fire or spilling of substances.	(15)	\$500.00



Province of Alberta

TOBACCO AND SMOKING REDUCTION ACT

Statutes of Alberta, 2005
Chapter T-3.8

Current as of June 27, 2018

Office Consolidation

© Published by Alberta Queen's Printer

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Amendments Not in Force

This consolidation incorporates only those amendments in force on the current as of date shown on the cover. It does not include the following amendments:

2013 c24 s3(c), (d), and (e) amends s1, s4(a) amends s3, s6 amends s5, s7 amends s6, s8(a) amends s7, s19(b), (c), (d)(e.4), (f)(g.2) amends s9(1), s20 amends s10, s22 amends ss3.1(1), 8.1, 8.2 and repeals and substitutes s8.3.

Regulations

The following is a list of the regulations made under the *Tobacco Reduction Act* that are filed as Alberta Regulations under the Regulations Act

Alta. Reg.	Amendments
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Tobacco and Smoking Reduction Act

Tobacco and Smoking Reduction.....	240/2007 4/2008, 24/2008, 169/2013, 201/2014
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TOBACCO AND SMOKING REDUCTION ACT

Chapter T-3.8

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HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) “advertise” means to use any commercial communication, through any media or other means, that is intended to have or is likely to have the effect of
 - (i) creating an awareness of or association with a tobacco product, a brand of tobacco product or a manufacturer or seller of a tobacco product, or
 - (ii) promoting the purchase or use of a tobacco product or a brand of tobacco product;
- (a.1) “group living facility” means
 - (i) a facility for the long-term care of veterans,
 - (ii) a nursing home under the *Nursing Homes Act*,
 - (iii) a facility as defined under the *Mental Health Act*,
 - (iv) a residential facility operated to provide accommodation and maintenance for unemployed or indigent adults only, or
 - (v) a supportive living accommodation licensed under the *Supportive Living Accommodation Licensing Act*;
- (b) “hotel” includes an inn, a guesthouse and a bed-and-breakfast facility;
- (c) “licensed premises” means licensed premises as defined under the *Gaming, Liquor and Cannabis Act* including an outdoor eating or drinking area that is part of or operated in conjunction with the premises;
- (d) “manager” means an employer or other person who, directly or indirectly, controls, directs or is responsible for a place or who controls the activities in the place;
- (d.1) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (e) “minor” means a person who is under 18 years of age;

- (e.01) “peace officer” means a peace officer as defined in the *Provincial Offences Procedure Act*;
- (e.1) “pharmacy” means a pharmacy as defined in the *Pharmacy and Drug Act*;
- (e.2) “promote” means to use any commercial act or practice that is intended to encourage or is likely to encourage the purchase or use of a tobacco product or a brand of tobacco product or to create an awareness of or association with a tobacco product, a brand of tobacco product or a manufacturer or seller of a tobacco product;
- (f) “public place” means all or any part of a building, structure or other enclosed area to which members of the public have access as of right or by express or implied invitation including
 - (i) the common areas of a multi-unit residential facility, including patios, pools, other recreation areas and enclosed parking garages,
 - (ii) a group living facility,
 - (iii) an outdoor bus or taxi shelter,
 - (iv) licensed premises,
 - (v) a restaurant, and
 - (vi) a hotel;
- (g) “public vehicle” means a bus, taxi or other vehicle that is used to transport members of the public for a fee;
- (h) “restaurant” includes a coffee shop, cafeteria, sandwich stand, food court, any other eating establishment and an outdoor eating area that is part of or operated in conjunction with the restaurant;
- (h.1) “retailer” means a person engaged in a business that includes the sale of tobacco products;
 - (i) “smoke” means to smoke, hold or otherwise have control over a lit tobacco product;
 - (j) “tobacco product” means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, but does not include any product for use in nicotine replacement therapy;

- (k) “workplace” means all or any part of a building, structure or other enclosed area in which employees perform the duties of their employment, whether or not members of the public have access to the building, structure or area as of right or by express or implied invitation, and includes reception areas, corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms, lounges, storage areas, laundry rooms, enclosed parking garages and work vehicles;
- (l) “work vehicle” means a vehicle owned or leased by an employer and used by employees during the course of their employment.

2005 cS-9.5 s1;2007 c40 s3;2009 cS-23.5 s26;
2013 c24 s3;2013 cS-19.3 s25;2017 c21 s29

Exclusions

2(1) Nothing in this Act affects the rights of aboriginal people respecting traditional aboriginal spiritual or cultural practices or ceremonies.

(2) Subject to section 4, this Act does not apply to a building, structure or vehicle, or a part of a building or structure, that is used as a private residence.

Smoking prohibited

3 Subject to section 5, no person shall smoke

- (a) in a public place,
- (b) in a workplace,
- (b.1) in a vehicle in which a minor is present,
- (c) in a public vehicle, or
- (d) within a prescribed distance from a doorway, window or air intake of a public place or workplace.

2005 cS-9.5 s3;2007 c40 s4;2013 c24 s4

Prohibition re minors

3.1(1) No minor shall smoke a tobacco product

- (a) in a place referred to in section 3,
- (b) in any outdoor place or area to which members of the public have access as of right or by express or implied invitation, including a highway within the meaning of the *Traffic Safety Act*,

- (c) in a school building, on school grounds or in any parking areas used in relation to a school building, or
- (d) in a vehicle that is in a public place or in an outdoor place or area referred to in clauses (a) to (c).

(2) No minor shall possess or consume a tobacco product in a place referred to in subsection (1).

2013 c24 s5

Private residence

4(1) Subject to subsection (2), a private residence is a workplace if a home business is operated from the residence and the owner of the business has employees who work in the residence but do not live in the residence.

(2) Only that part of a private residence in which the business is operated is a workplace for the purposes of this Act.

Exceptions

5(1) An in-patient or resident of a group living facility may smoke in a separate room in the facility if the room

- (a) is designated as a smoking room by the manager,
- (b) has floor-to-ceiling walls, a ceiling and doors that separate it physically from any adjacent area in which smoking is prohibited under this Act,
- (c) has a separate ventilation system, and
- (d) conforms to any requirements prescribed by the regulations.

(2) A registered guest, and a person invited by the guest, may smoke in a guest room of a hotel if the guest room

- (a) is designed primarily as sleeping accommodation,
- (b) is designated as a smoking room by the manager,
- (c) has floor-to-ceiling walls, a ceiling and doors that separate it physically from any adjacent area in which smoking is prohibited under this Act, and
- (d) conforms to any requirements prescribed by the regulations.

(3) and (4) Repealed 2007 c40 s5.

2005 cS-9.5 s5;2007 c40 s5

Duties of managers

6 The manager of a place where smoking is prohibited under this Act must not permit a person to smoke in that place.

Signs

7(1) The manager of a place where smoking is prohibited under this Act must ensure that signs indicating that smoking is prohibited are posted and continuously displayed in accordance with the regulations.

(2) The manager of a place where smoking is permitted under section 5 must ensure that signs indicating that smoking is permitted are posted and continuously displayed in accordance with the regulations.

(2.1) The manager of a place where tobacco products are sold or offered for sale must ensure that signs indicating that it is illegal to sell tobacco products to minors are posted and continuously displayed in accordance with the regulations.

(3) No person other than a manager or a person acting under the manager's instructions shall remove, alter, deface, conceal or destroy a sign that is posted or displayed under this Act.

2005 cS-9.5 s7;2013 c24 s8

Tobacco not to be displayed

7.1 No person shall, in any place where tobacco products are sold or offered for sale, display or permit the display of tobacco products in any manner that would permit a consumer to view or handle a tobacco product before purchasing it.

2007 c40 s6

Tobacco not to be advertised or promoted

7.2(1) No person shall advertise or promote tobacco products

- (a) in any place where tobacco products are sold or offered for sale, or
- (b) in any manner if the advertisement or promotion is visible from outside a place in which tobacco products are sold or offered for sale.

(2) Despite subsection (1), a place described in subsection (1)(a) may have one or more signs that lists the tobacco products offered for sale and their prices if the signs comply with the requirements prescribed by the regulations.

2007 c40 s6

Minimum package size

7.21 No person shall sell or offer for sale a tobacco product designated in the regulations in a package containing less than the number of units prescribed by the regulations.

2013 c24 s9

Sale of tobacco in certain places prohibited

7.3 No person shall sell tobacco products or offer tobacco products for sale in any of the following places:

- (a) a health facility in which one or more health professionals regulated under the *Health Professions Act* or another enactment provide services;
- (b) the campus of a public post-secondary institution under the *Post-secondary Learning Act*;
- (c) a pharmacy;
- (d) a retail store if
 - (i) a pharmacy is located in the retail store, or
 - (ii) customers of the pharmacy can enter the retail store directly or by use of a corridor or area used exclusively to connect the pharmacy with the retail store.

2007 c40 s6

Sale of flavoured tobacco products prohibited

7.4(1) In this section, “flavoured tobacco product” means a tobacco product that

- (a) has a characterizing flavour,
- (b) is represented as being flavoured, or
- (c) is designated under the regulations as a flavoured tobacco product.

(2) No person shall sell or offer for sale a flavoured tobacco product.

2013 c25 s2

Furnishing tobacco products to a minor

7.5(1) No person shall furnish or offer to furnish a tobacco product to a minor in a place referred to in section 3.1(1).

(2) No person shall furnish or offer to furnish a tobacco product in a place referred to in section 3.1(1) to a person who appears to be less than 25 years of age unless he or she has required the person to

provide a prescribed form of identification and is satisfied that the person is at least 18 years of age.

(3) It is a defence to a charge under subsection (1) that the defendant reasonably believed the person to whom the tobacco product was furnished or offered to be at least 18 years of age because

- (a) the person provided a prescribed form of identification showing his or her age, and
- (b) there was no apparent reason to doubt the authenticity of the identification or that it was issued to the person providing it.

2013 c24 s10

Offences

8(1) A person who contravenes section 3 or a provision in the regulations designated by the regulations as a provision the contravention of which is an offence is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$1000, and
- (b) for a 2nd or subsequent offence, to a fine of not more than \$5000.

(1.1) A minor who contravenes section 3.1(1) or (2) is guilty of an offence and liable to a fine of not more than \$100.

(1.2) A person who contravenes section 7.5 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$10 000, and
- (b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.

(2) A person who contravenes section 6, 7, 7.1, 7.2, 7.3 or 7.4 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$10 000, and
- (b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.

(3) A person who contravenes section 7.21 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$10 000, and

- (b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.

2005 cS-9.5 s8;2007 c40 s7;2013 c24 s11;
2013 c24 s11;2013 c25 s2

Description of offence — smoking

8.1 In describing an offence respecting the smoking of a tobacco product as prohibited under section 3 or 3.1(1), it is not necessary to specify the kind, brand or name of the tobacco product used in the offence.

2007 c40 s7;2013 c24 s12

Description of offence — possession or consuming

8.11 In describing an offence respecting the possession or consuming of a tobacco product by a minor as prohibited under section 3.1(2), it is not necessary to specify the kind, brand or name of the tobacco product used in the offence.

2013 c24 s13

Testimony of witness

8.2 In a prosecution under this Act respecting the smoking of a tobacco product as prohibited under section 3 or 3.1(1), it is not necessary that a witness testify to the precise description, kind, brand or name of the tobacco product smoked.

2007 c40 s7;2013 c24 s14

Testimony of witness — offence by minor

8.21 In a prosecution under this Act for the possession or consuming of a tobacco product by a minor as prohibited under section 3.1(2), it is not necessary that a witness testify to the precise description, kind, brand or name of the tobacco product possessed or consumed.

2013 c24 s15

Inference of tobacco product

8.3 In a prosecution under this Act, the court trying the case may, in the absence of evidence to the contrary, infer that the product possessed, smoked or consumed was a tobacco product from the fact that a witness describes it by a name that is commonly used to describe a tobacco product.

2007 c40 s7;2013 c24 s16

Inference in respect of age

8.31 Where a peace officer requests a person to produce proof of age and

- (a) the person refuses to produce identification, or
- (b) the person produces identification and the peace officer believes the identification to be false or altered,

the court trying the case may, in the absence of evidence to the contrary, infer that the person charged is a minor.

2013 c24 s17

Certificate or report of analysis

8.32(1) The Minister may designate a person to act as an analyst with respect to any analysis or description of any tobacco product or tobacco-like product for the purposes of or in connection with this Act and the regulations.

(2) In a prosecution under this Act, a certificate or report of analysis furnished by an analyst designated under subsection (1) is admissible in evidence as proof, in the absence of evidence to the contrary, of the facts stated in it and of the authority of the person furnishing the certificate or report without proof of the designation or signature of the analyst.

(3) No certificate or report of an analyst may be received in evidence unless the party intending to produce it has given to the party against whom it is intended to be produced reasonable notice of that intention together with a copy of the certificate or report.

(4) A person to whom a notice of intention to produce is given under subsection (3) may, with the leave of the court, require the attendance of the analyst for the purpose of cross-examination.

2013 c24 s18

Prohibition order

8.4(1) If a retailer is convicted of a 3rd or subsequent offence for a contravention of section 7.1 or 7.2, the Minister may by order in writing prohibit the retailer from selling tobacco products at the place at which the offence took place, or at any place to which the business of the retailer is moved, for the period of time provided for in the order.

(2) A retailer who fails to comply with an order made under subsection (1) is guilty of an offence and liable to a fine of not more than \$100 000 for each day during which non-compliance continues.

2007 c40 s7

Directors, etc. of corporations

8.5 Where a corporation commits an offence under this Act, any officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of that offence and liable to the penalty provided for the offence whether or not the corporation has been prosecuted for or convicted of that offence.

2007 c40 s7

Vicarious liability

8.6 In a prosecution for an offence under this Act, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted for or convicted of the offence, unless the accused establishes that the offence was committed without the accused's knowledge and that the accused exercised all due diligence to prevent its commission.

2007 c40 s7

Regulations

9(1) The Lieutenant Governor in Council may make regulations

- (a) for greater certainty, designating for the purposes of this Act,
 - (i) a place or class of place as a public place, workplace, hotel, public vehicle or restaurant, and
 - (ii) an outdoor place or area, or class of outdoor place or area, as an outdoor place or area to which members of the public have access as of right or by express or implied invitation;
- (b) for the purposes of section 3(d), prescribing a distance from a doorway, window or air intake of a public place or workplace;
- (c) for the purposes of section 5, prescribing requirements for smoking rooms;
- (d) for the purposes of sections 7 and 7.2, respecting the form and contents, the manner of posting, the display and the location of signs;
- (d.1) designating a tobacco product as a flavoured tobacco product;
- (d.2) respecting the exemption of a flavoured tobacco product from the prohibition in section 7.4(2);
- (e) respecting the appointment or designation of inspectors and the powers, duties and obligations of inspectors, including, without limitation, regulations
 - (i) authorizing inspectors
 - (A) to make any inspection, investigation or inquiry that the inspector considers necessary,

- (B) at any reasonable time to enter any place where tobacco products are sold,
 - (C) at any reasonable time to enter any place containing records that relate to the sale of tobacco products, and to inspect those records,
 - (D) to make copies of any records described in paragraph (C), and
 - (E) to seize any tobacco products and displays related to tobacco products for the purposes of administering and enforcing this Act and the regulations and any order made under section 8.4;
- (ii) respecting the handling and disposition of seized tobacco products and displays related to tobacco products;
- (e.1) prescribing the forms of identification for the purpose of section 7.5(2) and (3);
 - (e.2) respecting the training by retailers of their employees regarding compliance with this Act;
 - (e.3) respecting the reporting by retailers of their activities that are governed by this Act;
 - (f) respecting the form, contents and service of orders made under section 8.4;
 - (f.1) prescribing numbers of units for the purpose of section 7.21;
 - (f.2) designating tobacco products or classes of tobacco products to which section 7.21 applies;
 - (g) respecting the exemption of a person or a class of persons from the application of all or any of the provisions of this Act or the regulations;
 - (g.1) respecting the exemption of a place or a class of place from the application of all or any of the provisions of this Act or the regulations;
 - (h) designating provisions in the regulations the contravention of which is an offence;
 - (i) defining any word or phrase used but not defined in this Act;

- (j) respecting any matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this Act.

(2) A regulation made under subsection (1)(b) may be general or specific in its application and may prescribe different distances from a doorway, window or air intake with respect to different classes of public places or workplaces.

2005 cS-9.5 s9;2007 c40 s8;2013 c24 s19;2013 c25 s4

Municipal by-laws

10(1) Nothing in this Act affects a municipality's power to make bylaws to regulate, restrict or prohibit smoking.

(2) Where there is a conflict between a provision of this Act and a provision of a municipal bylaw that regulates, restricts or prohibits smoking, the more restrictive provision prevails.

Crown bound

11 This Act binds the Crown.

Repeal

12 The *Protection from Second-hand Smoke in Public Buildings Act* is repealed.

Review

12.1 The Minister must commence a review of this Act within 5 years after this section comes into force.


2013 c24 s21

Commencement

13 This Act comes into force on Proclamation.

(NOTE: Proclaimed in force January 1, 2006.)



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Cannabis Legalization in Redcliff

WHAT WE HEARD

Report



INTRODUCTION

Federal legalization of cannabis is planned for summer 2018. The Town of Redcliff has a role to play in regulating the location of cannabis retail stores and production facilities, and places where cannabis can be consumed.

To collect input on cannabis, the Town released a 14 question survey to the public. The survey was open from March 6th - 31st 2018. The survey was posted on the Town website and Facebook page, and was covered by Chat News and the Cypress Courier. The goal of the survey was to provide Town administration and Council with an idea of public opinion to help guide decision-making and the development of cannabis regulations.

Redcliff also hosted 2 open houses on March 15th and 30th from 3 - 7pm. The open houses were advertised on the Town website, Facebook page, Weekly Redcliff Report, and covered by the Cypress Courier.



WHO DID THE SURVEY?

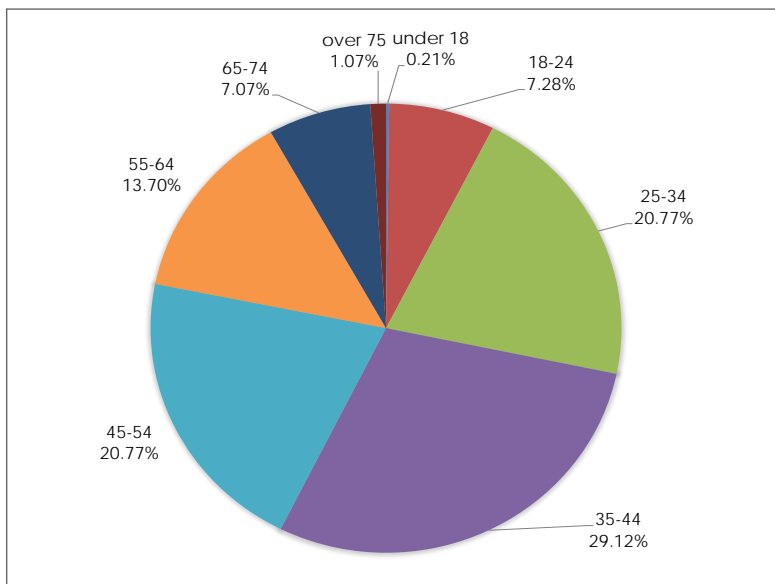
467
total responses

93%
completion rate

representing
8.3% of
the
total Redcliff population

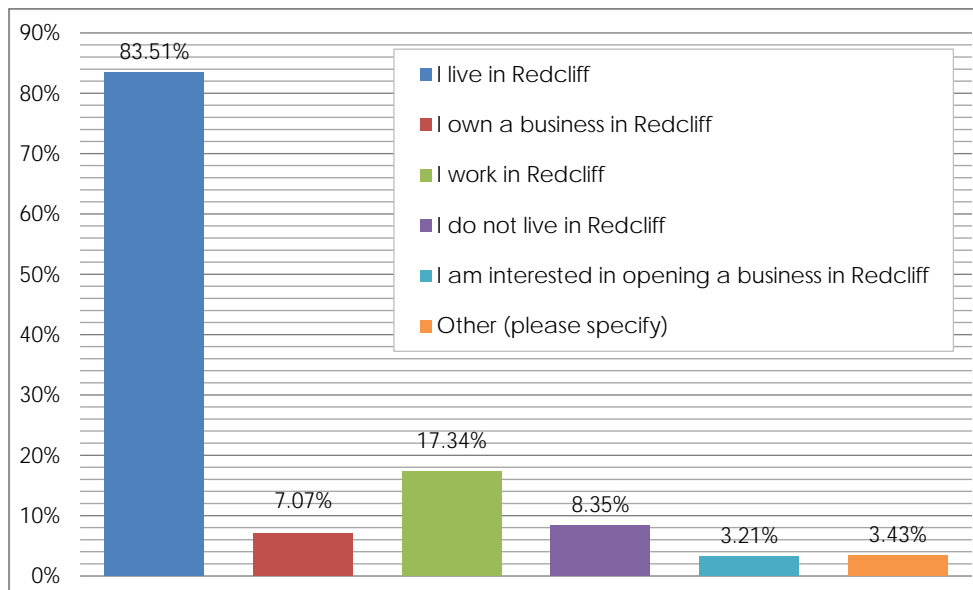
age of respondents

Q1: what is your age?



respondent description

Q2: which of the following best describes you? (check all that apply)



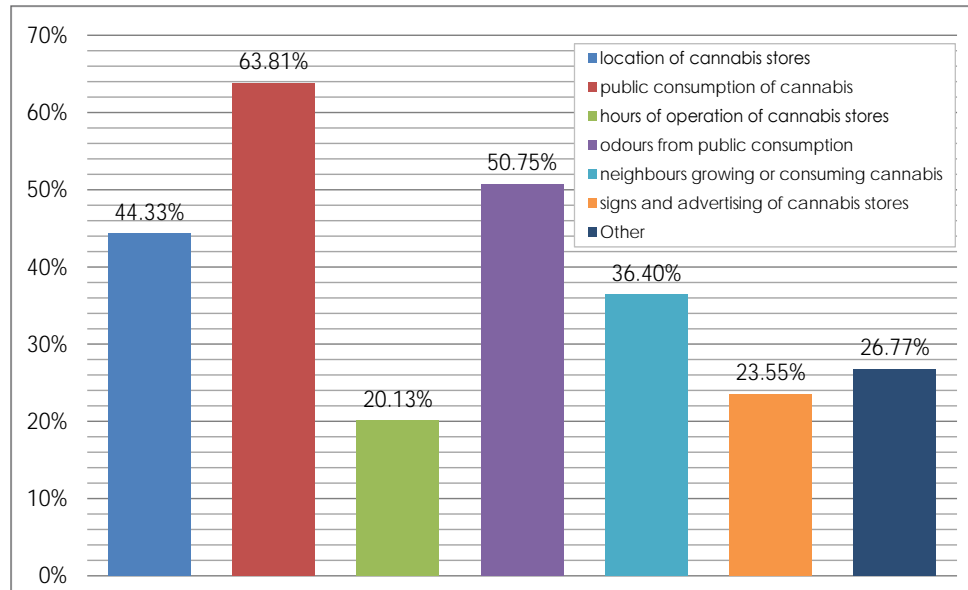
top 'other' responses:

I live outside/near Redcliff	37.5%
I visit Redcliff	25.00%
I own property in Redcliff	18.75%
I grew up/used to live in Redcliff	18.75%

GAUGING CANNABIS IN REDCLIFF

cannabis concerns

Q3: what concerns do you have with cannabis legalization? (check all that apply)

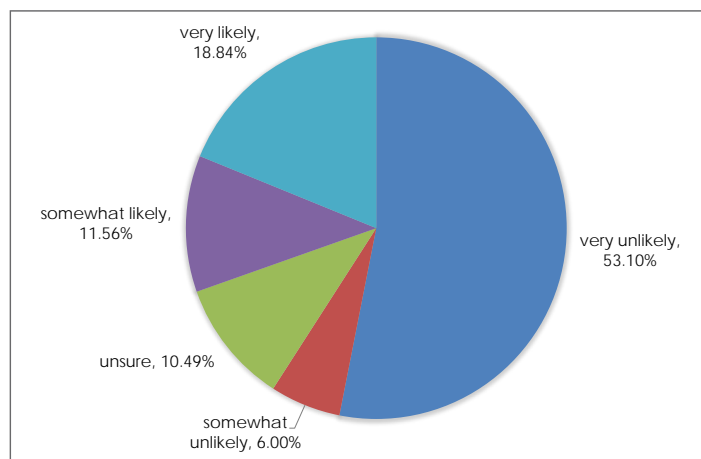


top 'other' responses:

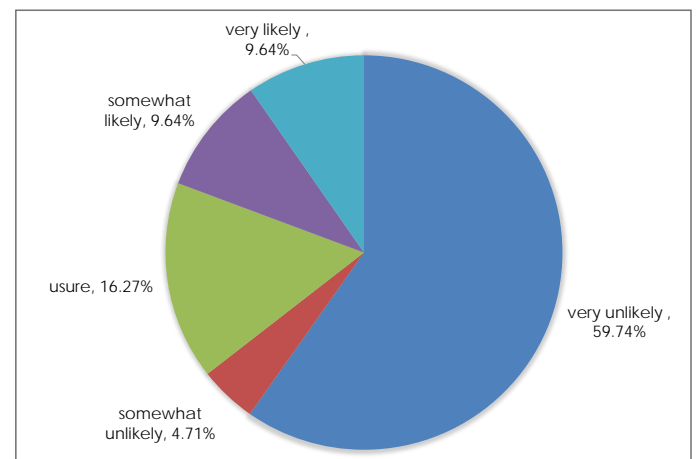
No concerns	56.00%
Keeping cannabis away from youth	15.20%
Impaired driving	9.60%
Crime/policing	2.40%
Workplace safety	2.40%

purchasing cannabis

Q4 & Q5: once legal, how likely are you to purchase cannabis from a retail store or online?



likeliness of purchasing from a retail store



likeliness of purchasing online

takeaways and recommendations

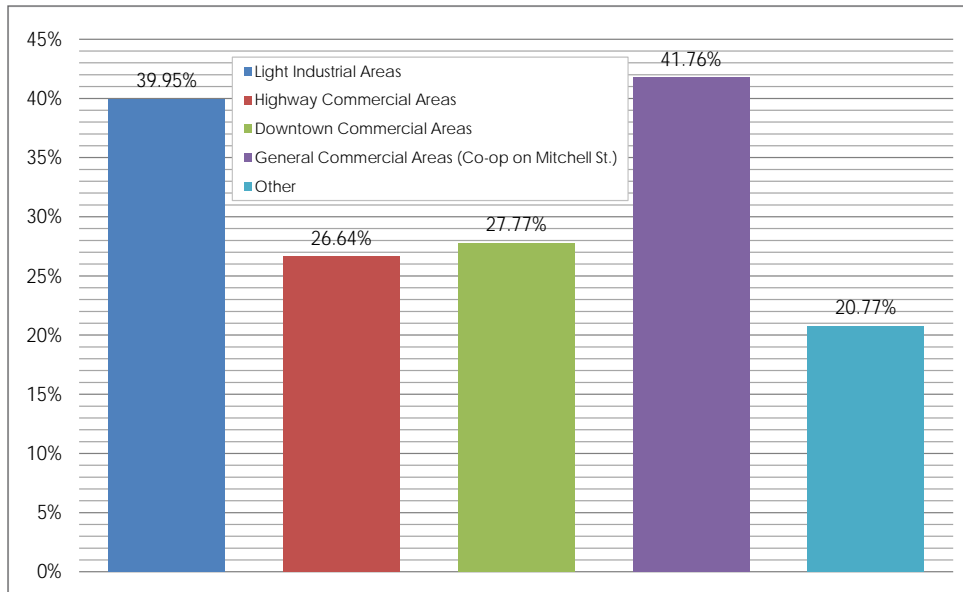
Public consumption and odours from consumption were the largest citizen concerns. These concerns will be addressed through limiting places for the public consumption of cannabis, and ensuring cannabis is not consumed near children. While crime, policing, and workplace safety were mentioned under 'other', it should be of note that these concerns fall within the authority of the provincial government and the RCMP.

Cannabis retail store location was also a large concern. Store locations are addressed in further survey questions.

CANNABIS RETAIL STORES

preferred locations

Q6: do you have preferred areas cannabis stores **SHOULD** be located? (check all that apply)

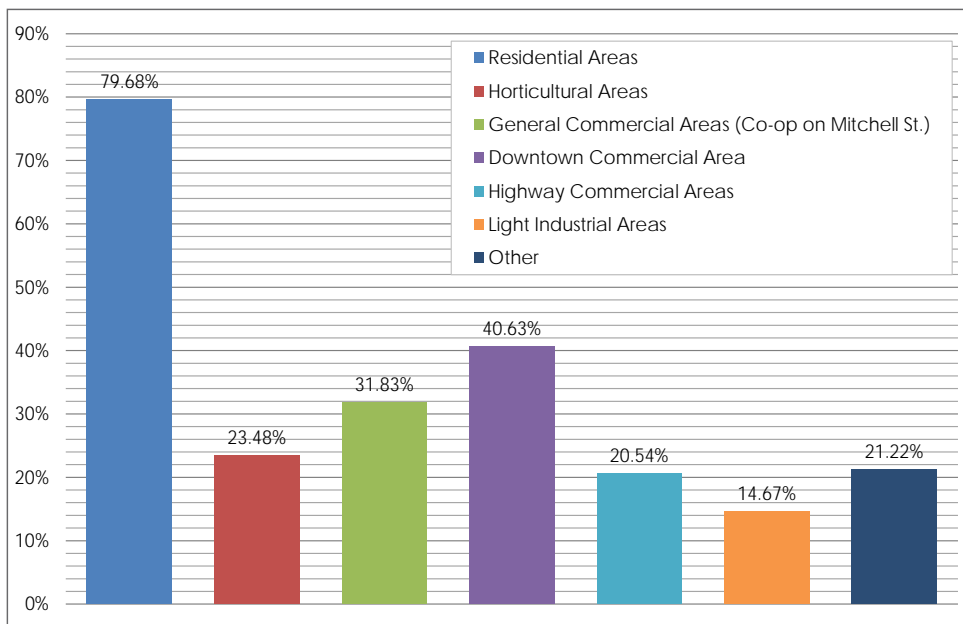


top 'other' responses:

Don't want stores in Redcliff	45.65%
Location doesn't matter	20.65%
Away from schools & youth	6.52%
Away from business	3.26%
North side of the Highway	3.26%
Not hidden	2.17%

non-preferred locations

Q7: do you have preferred areas cannabis stores **SHOULD NOT** be located? (check all that apply)



top 'other' responses:

Near schools & youth	47.87%
Location doesn't matter	26.37%
Don't want stores in Redcliff	15.38%
Pubs & bars	2.20%

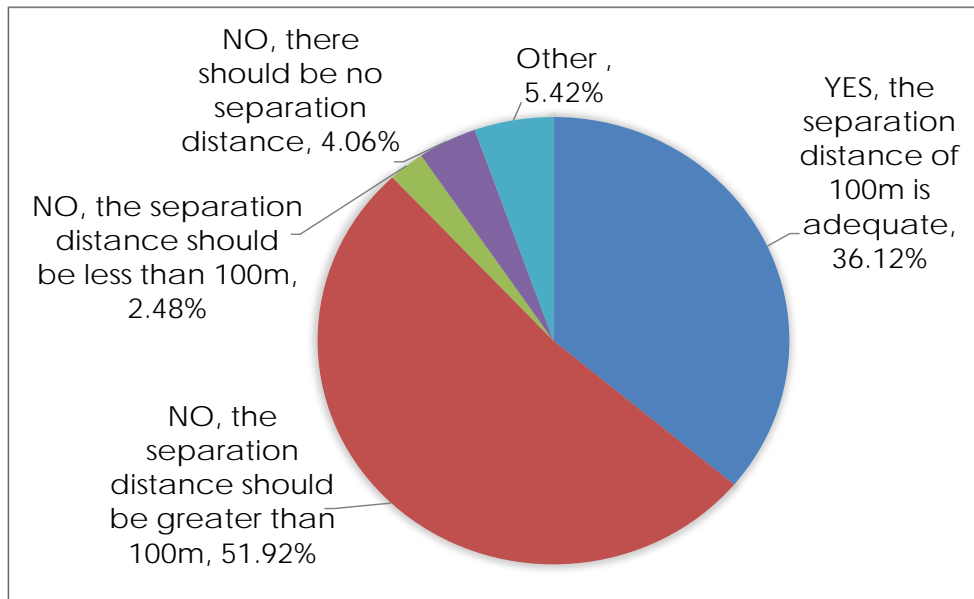
takeaways and recommendations

Nearly 80% of respondents did not want cannabis stores in residential areas. This will be addressed by prohibiting cannabis stores in neighbourhood commercial zones, and in the 2 general commercial district lots currently in Redcliff's residential area. Respondents preferred cannabis stores in general commercial and light industrial areas over downtown. Buffers from sensitive uses will minimize potential downtown locations. A buffer from the highway will also be considered.

CANNABIS RETAIL STORES

separation distances

Q8: do you think the 100m separation from sensitive uses, set by the province, is adequate for Redcliff?

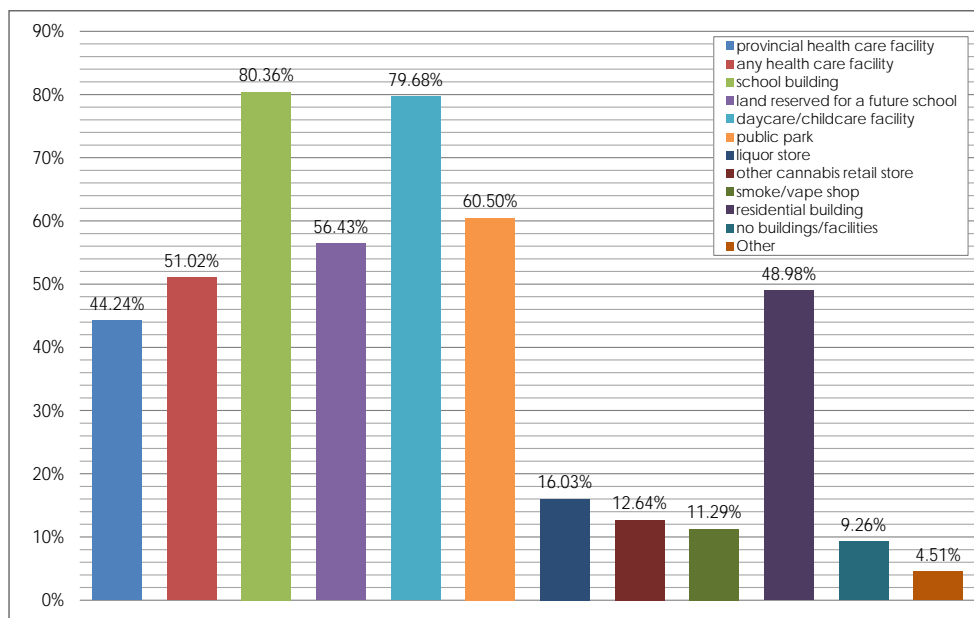


top 'other' responses:

Don't want cannabis stores in Redcliff	16.67%
Separation distances should be the same as for liquor stores	16.67%

separation places and locations

Q9: what places should have a minimum separation distance from cannabis stores? (check all that apply)



top 'other' responses:

Don't want stores in Redcliff	20.00%
Follow the same rules as liquor stores	20.00%
Pubs & bars	10.00%

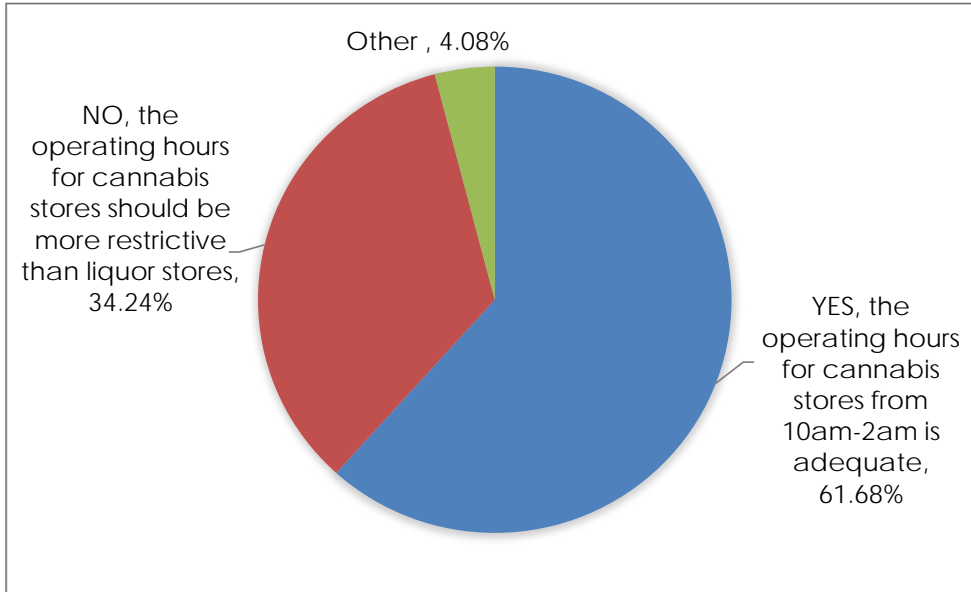
takeaways and recommendations

A map of the 100m setbacks will be created to get a better understanding of appropriate separation distances in Redcliff. The majority of respondents did not feel separation from other cannabis stores, liquor stores, and smoke/vape shops was necessary; therefore, separation from these uses will not be considered. The Town will add to the province's recommended list of places requiring separation distances, considering adding parks, daycares, and all health facilities.

CANNABIS RETAIL STORES

operating hours

Q10: are the operating hours of 10am - 2am, the same as for liquor stores, adequate for Redcliff?



top 'other' responses:

Don't want legalized cannabis in Redcliff	38.89%
Indifferent/unsure/ don't care	33.33%

takeaways and recommendations

The majority of respondents (over 61%) indicated the operating hours of 10am - 2am set by the province are appropriate. Further restricting operating hours would require Redcliff to pass an operating hours bylaw singling out cannabis stores.

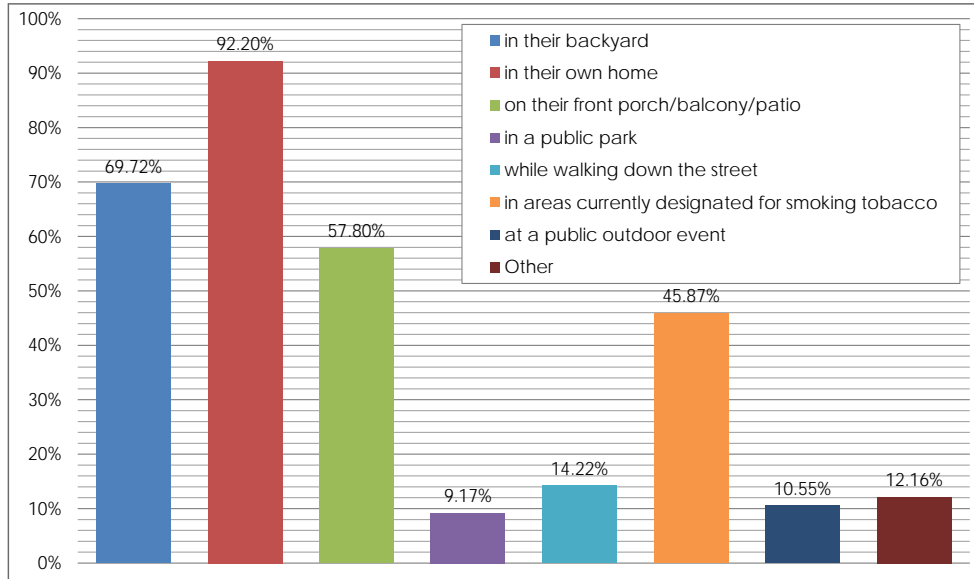
The operating hours of 10am - 2am are maximums, meaning each individual store may operate with more restricted hours if they choose.

The Town will therefore not consider passing an additional bylaw to further restrict operating hours.

CANNABIS CONSUMPTION

acceptable locations

Q11: what places do you think are **ACCEPTABLE** for people to consume cannabis? (check all that apply)

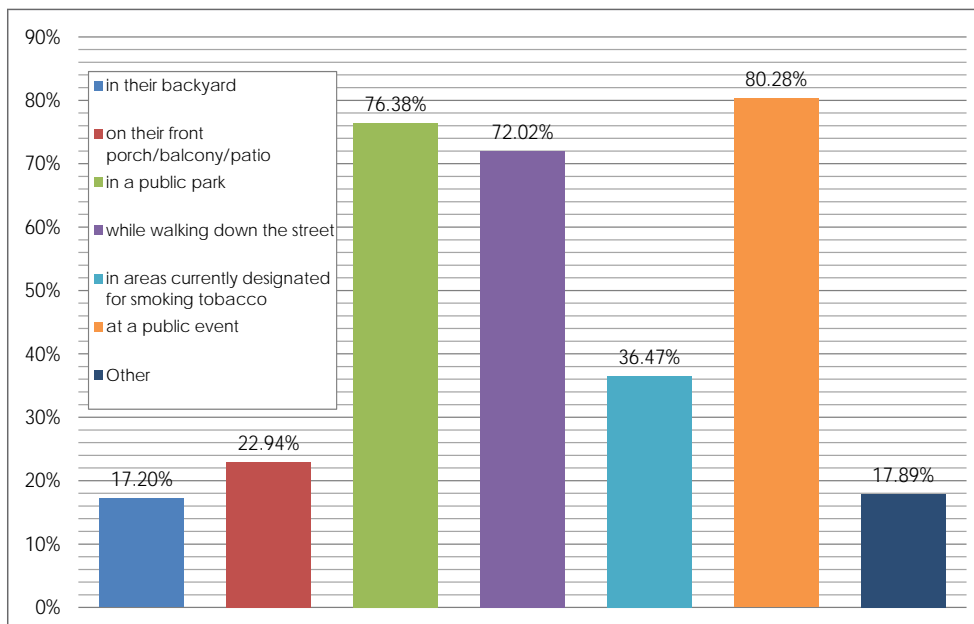


top 'other' responses:

Nowhere	24.53%
Where alcohol consumption is permitted	15.09%
Not in public	9.43%
In designated areas	7.55%
Away from youth	5.66%
Cannabis cafes	5.66%

unacceptable locations

Q12: what places do you think are **UNACCEPTABLE** for people to consume cannabis? (check all that apply)



top 'other' responses:

Near schools/ children	39.74%
Allow it everywhere	15.38%
Same restrictions as tobacco	11.54%
Public areas	8.97%
Everywhere (don't want legalization)	7.69%
Same restrictions as alcohol	5.13%

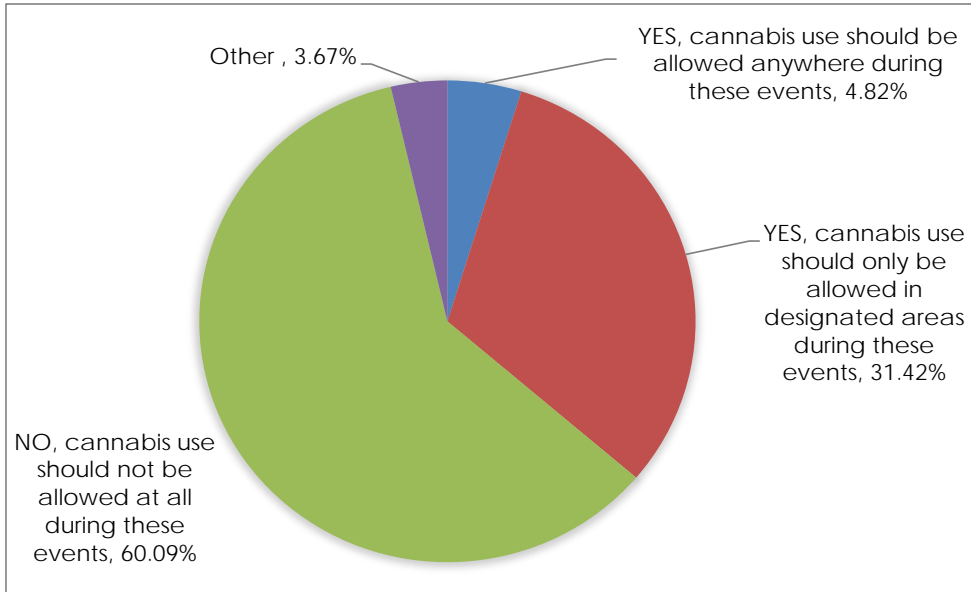
takeaways and recommendations

The majority of respondents felt consumption on private property was acceptable, and consumption in parks, sidewalks, and public areas was unacceptable. Redcliff will consider restricting cannabis similar to alcohol to mirror this feedback (i.e. you cannot consumer while on the street, sidewalk, or in public).

CANNABIS CONSUMPTION

public events

Q13: should cannabis consumption be allowed during public outdoor events like Redcliff Days?



top 'other' responses:

Regulated the same as tobacco 31.25%

Regulated the same as alcohol 25.00%

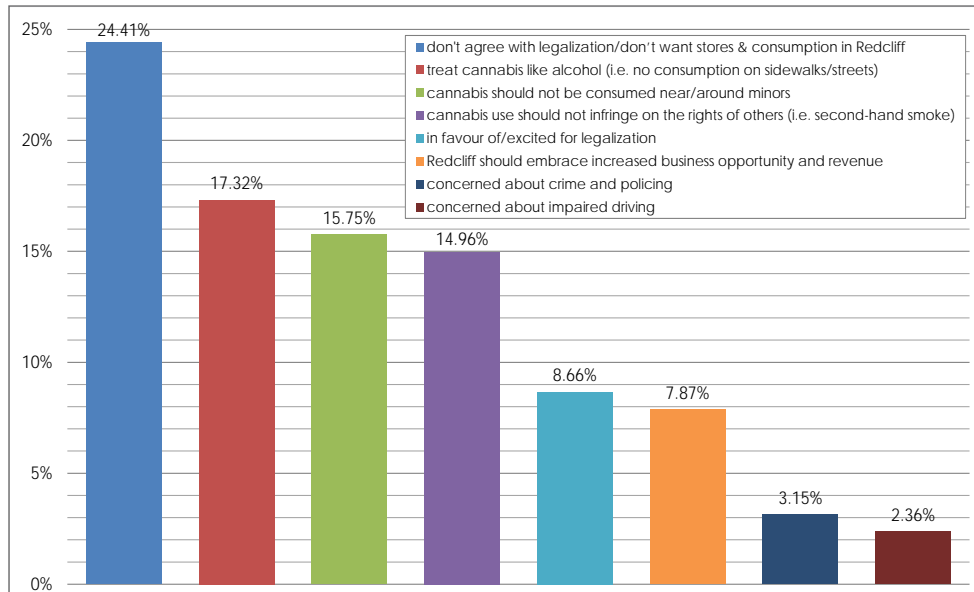
takeaways and recommendations

The majority of respondents (over 60%) indicated cannabis use should not be allowed at all during public outdoor events. The Town will therefore consider banning cannabis consumption at public outdoor events like Redcliff Days.

ADDITIONAL COMMENTS

comment box

Q14: do you have any additional comments you would like to add regarding cannabis in Redcliff?



total responses in the
comment box:

127

comments were categorized into
similar responses, with the most
popular and repeated responses
depicted in the adjacent chart

clearing up comments and questions brought up by survey respondents

Comment: Banning cannabis sale and consumption in Redcliff

A: According to current legal advice, Redcliff and other municipalities do not have the authority to outright ban or prohibit the sale and consumption of cannabis. Cannabis is being legalized by the federal government, and Redcliff's bylaws and regulations must conform to federal laws and regulations.

Comment: Cannabis consumption in specialized cannabis cafes or lounges

A: The federal and provincial governments have indicated cannabis cafes or lounges will not be legal in summer 2018, nor will the sale of cannabis edibles. However, cafes and edibles will be legal within 1 year of recreational cannabis becoming legal. If the federal government sticks to the cannabis timelines, we can therefore expect cannabis cafes and edibles to be legal in summer 2019.

Comment: Cannabis store locations and separation distances from sensitive uses should be regulated the same as liquor stores

A: The provincial government does not have any minimum separation distances from liquor stores and sensitive uses such as schools and parks. Regulating cannabis stores the same as liquor stores would therefore mean there would be no separation distances.

Comment: As the "Greenhouse Capital of the Prairies" Redcliff should embrace legalized cannabis and greenhouses should grow it

A: Producers and growers of recreational cannabis must be licensed by Health Canada. There are strict regulations regarding the security of cannabis production facilities. The typical glass and plastic greenhouses in Redcliff would not meet Health Canada requirements for cannabis production facilities. Therefore, one could not simply switch their plants to cannabis plants.

Provincial restrictions on smoking/vaping based on product type and location

		Tobacco smoking	Cannabis smoking	Shisha smoking	Nicotine vaping	Cannabis vaping
Indoor settings	Indoor workplaces	✓	✓			✓
	Hotel/motel guest rooms					
	Residential care facilities					
	Hookah bars	✓	✓			✓
	Public housing					
Outdoor settings	Playgrounds		✓			✓
	Sports fields		✓			✓
	Skateboard parks		✓			✓
	Outdoor theatres		✓			✓
	Outdoor pool or spray park		✓			✓
	Public parks					
	Outdoor public events					

Selected Tobacco/Smoking Restrictions in Alberta

Compiled by Action on Smoking & Health (ASH) – April 2018

Municipality	Tobacco Sales Licensing	Smoke-Free Outdoor Spaces							Smoke-Free Hotel/Motel Guest Rooms	Smoking Materials Prohibited		
		Playgrounds	Parks	Sports fields and facilities	Beaches	Outdoor markets	Outdoor events	Trails		Tobacco products	Waterpipes, hookahs and/or marijuana	Electronic cigarettes
Airdrie									✓	✓	✓	
Beaumont										✓	✓	
Bonnyville		✓		✓		✓	✓			✓	✓	✓
Calgary	✓	✓		✓						✓		✓
Camrose		✓		✓		✓				✓	✓	✓
Canmore									✓	✓		
Cardston		✓	✓	✓						✓	✓	✓
Coalhurst		✓		✓						✓		
Chestermere		✓	✓	✓	✓					✓		✓
Cochrane		✓		✓						✓		✓
Cold Lake		✓	✓	✓						✓	✓	✓
Devon							✓			✓		
Edmonton	✓	✓		✓						✓		✓
Grande Prairie		✓		✓						✓		✓
Hinton	✓											
Jasper										✓	✓	
Lamont		✓								✓	✓	✓
Lethbridge		✓								✓		
Lloydminster	✓											
Medicine Hat		✓	✓	✓	✓			✓		✓		
Nanton		✓	✓	✓						✓	✓	✓
Okotoks	✓									✓		
Red Deer		✓		✓		✓	✓			✓	✓	✓
Spruce Grove		✓	✓	✓						✓	✓	
St. Albert	✓	✓		✓		✓	✓			✓	✓	✓
Stettler									✓	✓	✓	
Strathmore		✓	✓	✓				✓		✓		
Sylvan Lake							✓			✓	✓	
Taber	✓											
Wood Buffalo										✓	✓	

TOWN OF REDCLIFF
REQUEST FOR DECISION

DATE: September 24th, 2018

PROPOSED BY: Planning & Engineering Department

TOPIC: Bylaw 1869/2018: Park, Recreational or Public Areas

PROPOSAL: That council consider giving second and third reading to the proposed Park, Recreational and Public Areas Bylaw

BACKGROUND:

Since the first reading of Bylaw 1869/2018: Park, Recreational or Public Areas Administration advertised for a non-statutory public hearing to be held during the regularly scheduled Council Meeting of September 24, 2018. At the time of writing this request for decision no comments have been received.

One amendment to Bylaw 1869/2018: Park, Recreational or Public Areas is proposed to provide greater clarity. The change is to definition (r) on page 3 and is now as follows (*changes highlighted in red and italicized*).

- (r) **PARK, RECREATIONAL OR PUBLIC AREA** means any land owned by or under the control and management of the **Town** or a School Authority within the corporate limits of the **Town**. This definition includes undeveloped **Roadways**, land developed or used by the **Town** as a public park, sports field, **Campground**, cemetery, pathway, trail, walkway, playground or recreational area, a temporary or permanent **Highway** buffer strip, and land designated by resolution of **Council** or Bylaw as a **Park, Recreational, or Public Area** *but does not include developed Roadways*.

Note: The following background is included from the previous RFD to allow for ease of access to the information.

Federal legalization of recreational cannabis will occur October 17th, 2018. Municipalities have authority over where public consumption of cannabis is permitted. Proposed amendments to the Park, Recreational and Public Areas bylaw set out specific regulations for where cannabis can be consumed in park, recreational and public areas in Redcliff.

The current Park, Recreational and Public Areas bylaw is from 1997. Review of this bylaw identified many additional amendments unrelated to cannabis legalization in order to align the bylaw with current practices and provincial legislation, and to correct grammatical errors.

Bylaw Amendment Process & Consultation:

Research

Resources from the Alberta Urban Municipalities Association (AUMA), Brownlee LLP, the Federation of Canadian Municipalities, the Alberta Gaming and Liquor Commission, Health Canada, Alberta Health Services, and various municipalities in Alberta were reviewed and considered prior to drafting proposed bylaw amendments.

Public & Stakeholder Involvement

A public survey was released on March 6th and collected 467 responses before closing on March 31st. Additionally, two open houses on cannabis legalization were held at Town Hall on March 15th and 20th. Members of Administration also met with representatives from the RCMP and City of Medicine Hat to discuss approaches to cannabis legalization regarding public consumption.

Council Involvement

Ten requests for decision related to cannabis legalization were brought to council on April 9th to provide Administration with policy direction. Council was also provided with the public survey results, for information, on April 9th.

Summary of Proposed Changes:

- Definition of Cannabis added.
- Unused definitions removed (i.e. Child is defined but not used anywhere in the bylaw).
- Definition of Director updated to mean the director responsible for parks, previously defined as the Public Works Department Director.
- Stormwater ponds added to the definition of Park Open Waters for clarification.
- Sections reorganized under title for Short Titles & Definitions, Regulations, specific regulations, Permits, Enforcement and General for easier navigation.
- Definitions, regulations, permits and enforcement are kept as only definitions, regulations, permits and enforcement for easier navigation.
- Provisions for horses and Livestock added (Livestock was previously defined, but no provisions for Livestock were present).
- Provision added to prohibit Cannabis consumption in all park, recreational and public areas at any time, including during organized or informal events. Council resolution passed on April 9th, 2018 stated Cannabis consumption shall not be allowed at special events. Recommendations from Alberta Health, Health Canada, and others stress the prohibition of all forms of smoking, Cannabis included, in public areas to prevent the re-normalization of smoking and protect public health.

NOTE: Full regulations regarding smoking in Redcliff are found the proposed Smoke-Free bylaw.

- In accordance with Council resolution passed on April 9th, 2018, and notwithstanding the above, Cannabis consumption is permitted in the campground on individual campsites.
- Bylaw brought into compliance with the Provincial Offences Procedure Act.
- Provision added giving Peace Officers and Bylaw Enforcement Officers the authority to remove or have removed unauthorized material and vehicles from campsites, and unauthorized signs and billboards from all parks and public areas.
- Violation and penalties section updated to meet current provincial legislation.
- Campground regulation revised to be a separate Part of the bylaw for easier document navigation.

- Addition of Perimeter Fence regulations.

NOTE: Full regulations on Perimeter Fences will be done by Policy as it will deal specifically with types, heights, ownership, etc. whereas this Bylaw only lays out some basic rules.

- Fines revised and increased (i.e. the fine for failing to display a camping permit was \$25.00, but it costs \$30.00/night for a camping permit in the campground. The fine for failing to display a camping permit was increased to \$50.00 because the fine for failing to display a permit should not be cheaper than the cost of obtaining a proper permit legally).
- Fines revised to include the opportunity to have some fines paid at Town Hall within 21 days, with a reduced penalty amount.
- Grammatical changes (i.e. By-Law revised to bylaw).

POLICY/LEGISLATION:

- Controlled Drugs and Substances Act, R.S.C. 1996, c. 19, as amended or replaced;
- Traffic Safety Act, R.S.A. 2000 Chapter T-6 of Alberta, as amended or replaced;
- Motor Vehicle Administration Act, R.S.A. 1980 c. M-22, as amended or replaced;
- Off-Highway Vehicle Regulation, AR 319/2002, as amended or replaced;
- Vehicle Equipment Regulation, AR 122/2009, as amended or replaced;
- Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34 of Alberta and its regulations, as amended or replaced.
- Criminal Code of Canada, R.S.C 1985, Chapter C-46 of Canada and its regulations, as amended or replaced.
- Provincial: Bill 26, An Act to Control and Regulate Cannabis
- O.C. 027/2018, Gaming and Liquor Amendment Regulation
- Bill 6, Gaming and Liquor Statutes Amendment Act

STRATEGIC PRIORITIES:

Amendments to the Park, Recreational and Public Areas bylaw are necessary to prepare for cannabis legalization and to update the outdated bylaw.

ATTACHMENTS:

Proposed Bylaw 1868/2018, Park, Recreational or Public Areas Bylaw.

OPTIONS:

1. Council give second reading to Bylaw 1868/2018, Park, Recreational or Public Areas Bylaw as amended.
2. Council give second and third reading to Bylaw 1868/2018, Park, Recreational or Public Areas Bylaw.
3. Council not give second reading to Bylaw 1868/2018, Park, Recreational or Public Areas Bylaw amended.


RECOMMENDATION:

Option 2

SUGGESTED MOTION(S):

1. i) Councillor _____ moved Bylaw 1869/2018, Park, Recreational or Public Areas Bylaw be given second reading amended.
- ii) Councillor _____ moved Bylaw 1869/2018, Park, Recreational or Public Areas Bylaw be given third reading.

SUBMITTED BY:



Department Head



Municipal Manager

**BYLAW NO: 1869/2018
TOWN OF REDCLIFF**

**A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, TO REGULATE
PARK, RECREATIONAL, OR PUBLIC AREAS.**

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, Council may pass bylaws respecting people, activities and things in, on or near a public place or place that is open to the public.

AND WHEREAS, park, recreational or public areas are considered important community assets contributing to healthy lifestyles and a high quality of life.

AND WHEREAS, the Council of the Town of Redcliff is committed to creating and providing safe and enjoyable park, recreational or public areas for current and future residents.

AND WHEREAS, the Council of the Town of Redcliff, deems it advisable to set forth terms and conditions to regulate the use of park, recreational or public areas within the municipal corporate limits.

NOW THEREFORE, the Council of the Town of Redcliff in open meeting assembled, enacts as follows:

**PART I
SHORT TITLE, DEFINITIONS**

SHORT TITLE

- (1) This Bylaw may be cited as the "**Park, Recreational or Public Areas** Bylaw".
- (2) The following Acts and Regulations are referenced in this bylaw and are referred to in this bylaw by their short title as listed below:

	Act or Regulation	Short Title
(a)	Controlled Drugs and Substances Act	Controlled Drugs and Substances Act
(b)	Traffic Safety Act, R.S.A. 2000 Chapter T-6 of Alberta, as amended or replaced;	Traffic Safety Act
(c)	Motor Vehicle Administration Act, R.S.A. 1980 c. M-22, as amended or replaced;	Motor Vehicle Act
(d)	Off-Highway Vehicle Regulation, AR 319/2002, as amended or replaced;	Off-Highway Vehicle Regulation
(e)	Vehicle Equipment Regulation, AR 122/2009, as amended or replaced;	Vehicle Equipment Regulation

(f)	Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34 of Alberta and its regulations, as amended or replaced.	Provincial Offences Procedure Act
(g)	Criminal Code of Canada, R.S.C 1985, Chapter C-46 of Canada and its regulations, as amended or replaced.	Criminal Code

DEFINITIONS

- (3) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (2) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (4) In this Bylaw:
- (a) **ANIMAL** means any creature not human.
 - (b) **BICYCLE** means a **Bicycle** as defined in the Traffic Safety Act.
 - (c) **BYLAW ENFORCEMENT OFFICER** means a **Person** appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town**.
 - (d) **CAMPING ACCOMMODATION UNIT** means all of the following used by a **Person** as shelter equipment while camping.
 - (i) tent;
 - (ii) trailer;
 - (iii) tent trailer;
 - (iv) motor home;
 - (v) van; or
 - (vi) truck camper.
 - (e) **CAMPGROUND** means any area designated by **Council** as a site intended for use by **Camping Accommodation Units** on a temporary basis.
 - (f) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.
 - (g) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
 - (h) **DIRECTOR** means the **Person** appointed as a **Director** of the **Town** and assigned responsibility for **Parks, Recreational or Public Area** operations and maintenance by the **Manager**.
 - (i) **DISPOSE, DISPOSAL, DISPOSED OR DISPOSING** means the dumping, discharging, throwing, dropping, discarding, abandoning, spilling, leaking, pumping, pouring, emitting or emptying of any substance or material.

- (k) **ENCROACHMENT** means any intrusion upon or use of a **Park, Recreational or Public Area** and includes:
- (i) the **Disposal** of **Vegetation** clippings, **Litter**, refuse, debris or other waste materials;
 - (ii) landscaping and gardening, including the cutting or pruning of **Vegetation**;
 - (iii) the erection or installation of fences, walls, irrigation equipment, satellite receiving dishes, garden sheds, other fixtures or structures;
 - (iv) driving upon or parking a **Motor Vehicle**, trailer or boat; or
 - (v) the placement or location of a trampoline, horseshoe pitch, skateboard ramp, playground equipment or other recreational items or facilities.
- (l) **FIREARM** shall have the same meaning as set out in the Criminal Code.
- (m) **HIGHWAY** shall have the same meaning as set out in the Traffic Safety Act.
- (n) **LITTER** means any solid or liquid material or product or combination of solid or liquid materials or products, including but not limited to:
- (i) rubbish, refuse, garbage, paper, packaging, cardboard, containers, bottles, cans, manure, human or **Animal** excrement or sewage, the whole or a part of an **Animal** carcass, the whole or part of any article, raw or processed materials, **Motor Vehicles** or other machinery, that is **Disposed** of; and
 - (ii) any **Motor Vehicle** which is inoperable by reason of removed wheels or other parts or equipment, has no current license plates attached to it, or has no registration certificate issued for the current year.
- (o) **LIVESTOCK** means any mammal or fowl owned by a **Person** for the purposes of providing food and or material and or transportation.
- (p) **MANAGER** means a **Person** appointed to the position of Chief Administrative Officer for the **Town** by **Council** and known as the Municipal Manager.
- (q) **MOTOR VEHICLE** means any vehicle propelled by any power other than muscular power excepting a **Bicycle** as defined in the Traffic Safety Act.
- (r) **PARK, RECREATIONAL OR PUBLIC AREA** means any land owned by or under the control and management of the **Town** or a School Authority within the corporate limits of the **Town**. This definition includes undeveloped **Roadways**, land developed or used by the **Town** as a public park, sports field, **Campground**, cemetery, pathway, trail, walkway, playground or recreational area, a temporary or permanent **Highway** buffer strip, and land designated by resolution of **Council** or Bylaw as a **Park, Recreational, or Public Area** but does not include developed Roadways.
- (s) **PARK OPEN WATERS** means any flowing water or body of water located in whole or in part within a **Park, Recreational or Public Area**, whether natural or man made, including stormwater ponds, but does not include a swimming or wading pool or water playground.

- (t) **PEACE OFFICER** means **Peace Officer** as defined in Provincial Offences Procedure Act.
- (u) **PERIMETER FENCE** means fences installed on the boundary of private properties and **Park, Recreational or Public Areas**.
- (v) **PERSON** means any corporation, firm, partnership, association or registered company, as well as a natural **Person**.
- (w) **ROADWAY** means land intended for the passage or parking of **Motor Vehicles** as demonstrated by the surface treatment of the land (paving or compacted gravel) and not being prohibited by signage or barricades that are part of a **Highway** or **Park, Recreational or Public Area**. **Roadway** includes any road, parking lot, and parking space.
- (x) **SIGN** means any **Sign**, billboard, display, etc. that is temporary or permanent or mounted on a trailer but does not include signs on a **Motor Vehicle**.
- (y) **SMOKE OR SMOKING** means to inhale, exhale, burn, smoke, vape, hold, or otherwise have control over a lit or active cigarette, e-cigarette, vapourizer, cigar, pipe, hookah pipe, or other lighted or heated device or apparatus designed to burn or heat tobacco, cannabis, shisha, e-liquid, concentrate, dried herb, or any other substance for the purpose of inhaling or tasting omissions; irrespective of whether the **Person** is inhaling or exhaling the smoke or vapour emitted from it.
- (z) **TOWED EQUIPMENT** means a boat, trailer, horse trailer, utility trailer or other equipment that is towed by a **Motor Vehicle**.
- (aa) **TOWN** means the municipal corporation of the **Town** of Redcliff or the area contained within the **Town** boundaries, as the context requires.
- (bb) **VEGETATION** means all trees, shrubs, plants, flowers and grass or all ground cover, whether it is in its wild or natural state or has been planted.

PART 2 REGULATIONS

AUTHORITY

- (5) This Bylaw shall apply to all **Park, Recreational or Public Areas** in the **Town**, subject to the exceptions provided in any statute of the Province of Alberta or any agreement entered into by the **Town** affecting any **Park, Recreational or Public Area** or part thereof.
- (6) The **Manager** shall have general supervision, charge, and control of the management and operation of **Park, Recreational or Public Areas**.
- (7) The **Director** shall, subject to the general supervision, control, and direction of the **Manager**, have charge of all **Park, Recreational or Public Areas** and of all **Persons** employed therein and of all works of whatsoever nature carried out therein.

BICYCLES

- (8) No **Person** shall ride a **Bicycle** within any **Park, Recreational or Public Area** where prohibited.
- (9) No **Person** shall ride any **Bicycle** within any **Park, Recreational or Public Area** unless the **Bicycle** and **Person** riding it are equipped in accordance with the Alberta Vehicle Equipment Regulation.
- (10) Notwithstanding Section (9), a **Person** may ride a **Bicycle** within a **Park, Recreational or Public Area** where the **Bicycle** and **Person** riding it are not equipped in accordance with the Alberta Vehicle Equipment Regulation provided that:
 - (a) It is on a course that is closed for general public use, and
 - (b) All safety equipment required for the **Bicycle** and **Person** riding it on the closed course are used.

BUSINESS ACTIVITIES

- (11) The **Director** may make regulations governing the sale of goods and services in a **Park, Recreational or Public Area**.
- (12) While in a **Park, Recreational or Public Area**, no **Person** shall, without a valid permit issued by the **Director**:
 - (a) place or erect any signs for the purposes of advertising. Signs must also comply with the requirements and regulations of the Land Use Bylaw;
 - (b) distribute any handbills or circulars;
 - (c) use any audible advertising device; or
 - (d) sell or offer for sale any refreshments or any goods or services for a fee.
- (13) The **Director** may issue a Permit for the sale and/or consumption of alcohol in a **Park, Recreational or Public Area** following consultation with the RCMP officer in charge or their designate, and upon receipt of:
 - (a) a complete permit application;
 - (b) a valid liquor license issued by the provincial government;
 - (c) proof of appropriate insurance coverage; and
 - (d) plans acceptable to the Director showing:
 - (i) the designated area for alcohol consumption;
 - (ii) security measures to prevent minors from entering the premises and accessing alcohol;
 - (iii) storage of alcohol; and
 - (iv) public washroom facilities.

CONDUCT

- (14) No **Person** shall in any way obstruct the free use or enjoyment of a **Park, Recreational or Public Area** by any other **Person**, other than:
- (a) the **Director**, in making regulations as allowed under this bylaw;
 - (b) a **Person** authorized by the **Director** or their designate by permit issued under this bylaw; or
 - (c) a **Person** directed by a **Peace Officer, Bylaw Enforcement Officer** or any member of **Town** staff in performing their normal duties or in the interests of public safety.
- (15) No **Person** shall use or make any boisterous noise, blasphemous, vulgar or insulting language or be guilty of any disorderly, loud or lascivious conduct of any kind while in any **Park, Recreational or Public Area** or engage in any activity which is likely to lead to a breach of the peace or to the inconvenience or disturbance of any **Persons**, unless authorized by the **Director** or their designate by permit issued under this bylaw.
- (16) No **Person** shall consume or display alcohol in a **Park, Recreational or Public Area**, unless authorized by valid permit issued by the **Director**.
- (17) No **Person** shall **Smoke** or display **Cannabis** in a **Park, Recreational or Public Area** at any time, including during any organized or informal events.
- (18) No **Person** shall enter or remain in any **Park, Recreational or Public Area** while intoxicated under the influence of alcohol or drugs.

DAMAGE TO PROPERTY

- (19) While in a **Park, Recreational or Public Area** no **Person** shall:
- (a) damage or vandalize fences, buildings, playground equipment, or other structures;
 - (b) destroy, remove, or attach any posters or material to trees or **Vegetation**;
 - (c) walk, stand, or sit on or in any flower or shrub bed; or
 - (d) walk, cross, or use any grass, plot, or land where signs have been posted by the **Town** prohibiting such use.

DANGEROUS OBJECTS

- (20) While in a **Park, Recreational or Public Area** no **Person** shall:
- (a) carry or discharge any fireworks without a valid Fireworks Permit issued by the Fire Chief;
 - (b) carry or discharge any **Firearm**;
 - (c) carry or discharge any explosives of any description;
 - (d) cast any stones or missiles;
 - (e) propel a golf ball in any manner; or
 - (f) shoot any projectile;
- unless authorized by valid permit issued by the **Director**.

ENCROACHMENTS

- (21) No **Person** shall create, allow, or contribute in any way to the existence or continuance of an **Encroachment** on a **Park, Recreational or Public Area**, unless the **Encroachment** or use:
- (a) is allowed under a specific provision of this Bylaw;
 - (b) is authorized by valid permit issued by the **Director** or their designate; or
 - (c) has been sanctioned following a specific authorization procedure adopted by resolution of **Council**.

ENTRANCE

- (22) The **Director** may designate hours of operation of a **Park, Recreational or Public Area** to be posted by signage at the entrances to the **Park, Recreational or Public Area**.
- (23) The **Director** or their designate may temporarily close a **Park, Recreational or Public Area** or any part thereof to the public use.
- (24) The **Director** may close a **Park, Recreational or Public Area** or any part thereof to public use for the protection of historical resources, the environment, or due to safety concerns with the area. Closure of a **Park, Recreational or Public Area** or any part thereof which will be posted by signage.
- (25) No **Person** shall enter any area of a **Park, Recreational, or Public Area** to which access by that **Person** is prohibited by a sign or regulation.
- (26) No **Person**, excepting **Town** employees, servants, or agents acting in the course of their duties, shall enter or remain in a **Park, Recreational or Public Area** outside the designated hours of operation.

FIRES

- (27) The **Director** may designate areas for fires in a **Park, Recreational or Public Area** marked with signage stating fires are permitted in:
- (a) fireplaces or fire pits installed by the **Town**, marked with signage stating they can be used for fires;
 - (b) portable propane and charcoal fuelled:
 - (i) fire pits;
 - (ii) stove tops; and
 - (iii) barbeques.
- (28) No **Person** shall light a fire in a **Park, Recreational or Public Area** in a place not designated for fires, unless authorized by valid permit issued by the **Director**.
- (29) A fire ban issued by the Fire Chief shall supersede sections (27) and (28).
- (30) No **Person** shall remove any firewood from the stock supply in any **Park, Recreational or Public Area** unless it is used specifically in fireplaces or fire pits provided for fires within the **Park, Recreational or Public Area**.

HORSES

- (31) No **Person** shall have a horse in any **Park, Recreational or Public Area** unless:
- (a) in a designated horse riding area or on a horse trail as created by resolution of **Council**; or
 - (b) authorized by valid permit issued by the **Director**.
- (32) No **Person** shall use a horse propelled vehicle in any **Park, Recreational or Public Area** unless authorized by valid permit issued by the **Director**.

LITTER CONTROL

- (33) No **Person** shall **Dispose** of or allow the **Disposing** of any **Litter** in a **Park, Recreational or Public Area**, other than in a garbage receptacle provided for the containment of **Litter**.
- (34) No **Person** shall **Dispose** of **Litter** in a garbage receptacle located in a **Park, Recreational or Public Area**, unless the **Litter** was generated by the **Person** while in the **Park, Recreational or Public Area**.

LIVESTOCK

- (35) No **Person** shall permit livestock of any type owned or controlled by that **Person** to enter into any **Park, Recreational or Public Area** unless authorized by valid permit issued by the **Director** or their designate.

MOTOR VEHICLES AND EQUIPMENT

- (36) No **Person** shall operate a **Motor Vehicle, Towed Equipment**, or any other equipment in a **Park, Recreational or Public Area** other than on a **Roadway**, unless authorized by valid permit issued by the **Director** or their designate.
- (37) No **Person** shall park a **Motor Vehicle, Towed Equipment**, or any other equipment in a **Park, Recreational or Public Area** other than on a **Roadway**, unless authorized by valid permit issued by the **Director** or their designate.
- (38) No **Person** shall park a **Motor Vehicle, Towed Equipment**, or any other equipment on a **Roadway** in a **Park, Recreational or Public Area** where prohibited by a traffic control device, unless authorized by valid permit issued by the **Director** or their designate.
- (39) No **Person** shall abandon a **Motor Vehicle, Towed Equipment**, or any other equipment in a **Park, Recreational, or Public Area**.

PARK OPEN WATERS

- (40) No **Person** in or upon any **Park Open Waters** shall:
- (a) swim or wade;
 - (b) operate a flotation device of any kind, irrespective of whether it is propelled or capable of being propelled by any method, including muscle power; or

- (c) operate or allow the operation of any:
 - (i) boat;
 - (ii) wind surfing board, paddle board;
 - (iii) canoe or kayak;
 - (iv) motorized water skis; or
 - (v) remote-controlled model boat, ship, submarine, truck, or car.

(41) A **Person** may fish in **Parks Open Waters**, with a rod and reel only, if permitted by sign.

PUBLIC GATHERINGS

- (42) In a **Park, Recreational or Public Area** no **Person** shall, unless authorized by valid permit issued by the Director or their designate:
- (a) take part in or organize any unauthorized procession or performance;
 - (b) take part in, schedule or make arrangements for an unauthorized public address;
 - (c) take part in or organize an unauthorized demonstration; or
 - (d) operate any amplifying system or loudspeaker.

SPECIAL EVENTS

- (43) No **Person** shall host a special event in a **Park, Recreational or Public Area** unless authorized by valid permit issued by the **Director** or their designate.

PART 3 CAMPGROUNDS

- (44) **Council** may designate an area in a **Park, Recreational or Public Area** as a **Campground** facility, composed in whole or in part of campsites intended for overnight use.
- (45) The **Town** may, subject to the Traffic Safety Act:
- (a) control and prohibit the movement of vehicular, pedestrian and other traffic in the **Campground** by means of signs and notices designated and erected by the **Town**; and
 - (b) designate and erect other signs and notices governing and prohibiting activities in the **Campground**.
- (46) The **Town** may issue camping permits for use of a campsite, and prescribe a daily fee, as per the Fees, Rates and Charges Bylaw, for such use to be paid in advance of occupying the campsite.
- (47) No **Person** shall camp overnight in a campsite except in an area designated for camping purposes by **Council**, unless authorized by valid permit issued by the **Director** or their designate.

- (48) No **Person** shall camp overnight in a campsite unless they hold a valid camping permit issued under this Bylaw.
- (49) No **Person** shall alter or deface a camping permit.
- (50) No **Person** shall transfer a camping permit to another **Person**.
- (51) The holder of a camping permit shall display the permit in a conspicuous place on the campsite and shall produce it for inspection on any reasonable request by the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer**, or **Person** authorized and designated by the **Director** to enforce this Bylaw.
- (52) No more than two **Camping Accommodation Units** are permitted on any campsite.
- (53) The number of **Motor Vehicles** plus pieces of **Towed Equipment** permitted on a campsite must not exceed three.
 - (a) If, in the opinion of the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer** or **Person** authorized and designated by the **Director** to enforce this Bylaw, a campsite is not suitable to accommodate the maximum allowable combination of **Motor Vehicles**, **Camping Accommodation Units** and pieces of **Towed Equipment** allowed, whether it is due to the size of the campsite or the size of the **Motor Vehicles**, **Camping Accommodation Units** and pieces of **Towed Equipment**, they may request the removal of **Motor Vehicles**, **Camping Accommodation Units** and pieces of **Towed Equipment** to a number that can reasonably be accommodated by the campsite.
- (54) No visitor to a campsite who is not staying overnight at the campsite shall park a vehicle on the campsite:
 - (a) after 11 p.m.;
 - (b) in a manner or at a location that impedes traffic; or
 - (c) on any surface that is not a **Roadway**.
- (55) Not more than 6 **Persons** over the age of 12 may occupy an individual campsite.
- (56) No **Person** shall camp for more than 14 consecutive days in the same **Campground** without valid permit issued by the **Director** or their designate.
 - (a) The **Director** or their designate may issue an extension beyond the 14 days if in the reasonable judgment of the **Director** or their designate the extension does not prohibit other **Persons** from using the **Campground**.
 - (b) A **Person** who has camped for the maximum number of days permitted under this Section must allow 24 hours to expire without being in the **Campground**, before they will be considered for being issued a new camping permit.
- (57) A camping permit will be automatically cancelled if the campsite is, without the authorization of the **Director** or their designate, unoccupied for more than 24 hours.
 - (a) To be occupied a Campsite must have at least one **Camping Accommodation Unit**.

- (58) No **Person** shall interfere with the right of others to the quiet and peaceful enjoyment of a campsite.
- (59) No **Person** shall deface, injure or destroy any object in a campsite, whether created by natural means or otherwise.
- (60) No **Person** shall remove, deface, damage or destroy any signboard, sign or notice posted or placed in a **Campground** under the authority of this Bylaw.
- (61) A **Person** using a **Campground** shall keep the land and improvements in a condition satisfactory to the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer** or **Person** authorized and designated by the **Director** to enforce this Bylaw.
- (62) No **Person** shall consume alcohol or **Cannabis** in a **Campground** except:
- (a) In Camping Accommodation Unit; or
 - (b) on an individual campsite with a valid camping permit.
- (63) A **Person** who enters a **Campground** shall comply with:
- (a) any lawful orders or instructions made or issued pursuant to this Bylaw by the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer**, or **Person** authorized and designated by the **Director** to enforce this Bylaw; and
 - (b) all instructions, prohibitions, and directions prescribed by all lawfully designated and erected signs and notices.
- (64) When a camping permit is cancelled or expires, the permittee shall ensure the campsite to which the permit relates is vacated immediately and all equipment and property belonging to the permittee, **Persons** in the permittee's group, or the permittee's guests, and all litter, is removed from the campsite.
- (65) A **Person** vacating the **Campground** shall restore the land as nearly as possible to a condition better than when they arrived.
- (66) If equipment, material, **Camping Accommodation Units**, **Towed Equipment**, or **Vehicles** remain on a campsite when a camping permit is cancelled or expires, a **Peace Officer** or **Bylaw Enforcement Officer** may immediately remove or have removed any equipment, material, **Camping Accommodation Units**, **Towed Equipment**, and **Vehicles** remaining on the site.
- (a) Removed equipment, material, **Camping Accommodation Units**, **Towed Equipment**, or **Vehicles** will be stored by the Town; and
 - (b) Disposed of in accordance with applicable regulations, Town Bylaws and Policies.

PART 4 PERIMETER FENCES

- (67) **Perimeter Fences** are required to separate **Park, Recreational or Public Areas** from private properties.

- (68) The maintenance of a **Perimeter Fence** is the responsibility of the immediately adjacent private property owner.
- (69) The **Director** may set regulations on the standards for **Perimeter Fences** that will be adopted by Policy.
- (70) The **Director** or their designate, by issuance of a valid permit, may authorize the:
- (a) modification of existing **Perimeter Fences**;
 - (b) removal of existing **Perimeter Fences**; or
 - (c) replacement of existing **Perimeter Fences**.
- (71) The **Town** may take corrective actions (whether through its own forces or contracted agents) it deems necessary to repair, remove modifications to, or restore a **Perimeter Fence** at the cost of the immediately adjacent private property owner, if an immediately adjacent private property owner:
- (a) fails to maintain an existing **Perimeter Fence**;
 - (b) makes unpermitted modifications to an existing **Perimeter Fence**;
 - (c) removes an existing **Perimeter Fence**; or
 - (d) installs a new **Perimeter Fence** in place of the existing **Perimeter Fence** that does not match the existing **Perimeter Fence**.

PART 5 PERMITS

- (72) The **Director** or their designate may issue permits for activities on or in **Park, Recreational or Public Areas** as prescribed in this bylaw (listed in Schedule "A"). Permit fees and permit security amounts are in the Fees, Rates and Charges Bylaw.
- (73) A permit conveys in writing a **Person** has appropriate permission to conduct certain activities in a **Park, Recreational or Public Areas**.
- (74) The **Director** may choose to require a **Person** to post security in order for a **Person** to receive a permit.
- (a) Security ensures the **Person** receiving the permit restores, repairs, and or returns the **Park, Recreational or Public Areas** to the condition prior to the activity occurring.
 - (b) Security shall be returned in full upon completion of the activity by the **Director** or their designate. Return of the security deposit indicates the **Park, Recreational or Public Area** has been restored, repaired and or returned to a state reasonably equivalent to the condition prior to the activity occurring.

- (75) The **Director** or their designate may refuse to issue a permit if the permit application is incomplete. A complete permit application includes:
- (a) A completed standard application form;
 - (b) Any plans, drawings, figures or sketches required by this bylaw or the **Director** to support the application;
 - (c) Any security that is required by the **Director**; and
 - (d) Payment of the Permit Fee.

PART 6 OFFENCES, ENFORCEMENT AND PENALTIES

OFFENCES

- (76) Any Person who contravenes any provision of this Bylaw is guilty of an offense punishable by issuance of:
- (a) **Town** notice/violation ticket; or
 - (b) A summons/violation ticket (Part 2); or
 - (c) An offense notice/violation ticket (Part 3).
- (77) Any notice, violation or summons ticket will be served by a **Bylaw Enforcement Officer** or a **Peace Officer** in accordance with the provisions of the Provincial Offences Procedure Act.

ENFORCEMENT

- (78) Where the **Director**, a **Peace Officer**, **Bylaw Enforcement Officer** or **Person** authorized and designated by the **Director** to enforce this Bylaw believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) enter a venue or campsite to investigate, without the **Town** incurring liability; or
 - (b) request a **Person** to leave.
- (79) Where a **Peace Officer**, **Bylaw Enforcement Officer** believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) at their discretion, give the **Person** in contravention of this Bylaw no more than 24 hours to correct the contravention;
 - (b) remove or have removed any **Person** who has refused to leave immediately after being requested to do so;
 - (c) serve upon the **Person** a written violation notice; and or
 - (d) commence proceedings by issuing ticket as outlined in Section (76).
- (80) A **Peace Officer** or **Bylaw Enforcement Officer** or **Director** may cancel a camping permit if the permittee, a member of the permittee's group, or a permittee's guest contravenes this Bylaw or any term or condition to which the permit is subject.

- (a) A **Peace Officer** or **Bylaw Enforcement Officer** or **Director** who cancels a camping permit under this Bylaw shall give the permittee written notice of the cancellation.
 - (b) A permittee who receives written notice of the cancellation of the permit shall immediately vacate the campsite.
- (81) A **Person** who contravenes the provisions of this Bylaw, irrespective of whether the **Person** has been served under Section (76), shall be liable to reimburse the **Town** for all costs reasonably incurred by the **Town** from:
- (a) repairing the damages done to **Town** property;
 - (b) removing litter, garbage, signs, vehicles, equipment, or other materials or property;
 - (c) disposing of litter and garbage; and
 - (d) storing signs, **Vehicles**, equipment, **Camping Accommodation Units**, **Towed Equipment**, or other materials or property.
- (82) A **Person** shall not be convicted of an offence if it is established upon a preponderance of the evidence that the **Person** took all reasonable steps under the circumstances to avoid the contravention of this Bylaw.
- (83) Nothing in this Bylaw shall be construed as preventing any **Peace Officer** or **Bylaw Enforcement Officer** from issuing a summons or offence notice under the Provincial Offences Procedure Act or otherwise initiating court process in any manner permitted by law, in respect of an alleged offence for which a violation ticket may be issued.

INSPECTION OF DOCUMENTS

- (84) Upon the request of a **Peace Officer** or **Bylaw Enforcement Officer**, a **Person** holding a permit, shall produce the permit issued pursuant to this bylaw.
- (85) Information obtained from any document inspected by a **Peace Officer** or **Bylaw Enforcement Officer**, under the authority of this Section, and submitted by them as evidence in a prosecution for an alleged contravention of this Bylaw, shall be prima-facie accepted by the Court as true information without the necessity of proof of the signature or the official capacity of the **Person** or **Persons** who signed or authorized the document or documents from which the information was obtained.

PENALTIES

- (86) A ticket issued under Section (76) shall:
- (a) state the provision of this Bylaw alleged to have been contravened;
 - (b) state the fine set out in Schedule "B" to this Bylaw; and
 - (c) in the case of a **Town** ticket, the date which the ticket must be paid at **Town** Hall, with any reduction in ticket amount for payment before the specified date outlined in Schedule "B" to this Bylaw, after which the **Bylaw Enforcement Officer** or a **Peace Officer** will reissue the ticket as offense notice/violation ticket (Part 3).

- (87) A ticket shall be deemed sufficiently served if the ticket is:
- (a) served personally on the **Person** alleged to have contravened the provision of this Bylaw set out in the violation notice;
 - (b) sent by registered mail to the address of any registered owner of the **Vehicle** in respect of which the offence is alleged to have been committed, in which case service is deemed to have occurred on the seventh day after mailing of the violation notice, the day of mailing excluded; or
 - (c) attached to or left upon the **Vehicle** in respect of which the offence is alleged to have been committed.

REMOVAL AND IMPOUNDMENT OF VEHICLES

- (88) If a **Peace Officer** or **Bylaw Enforcement Officer** forms the opinion on reasonable and probable grounds that a **Vehicle** is parked in contravention of any provision of this Bylaw, the **Peace Officer** or **Bylaw Enforcement Officer** may cause the **Vehicle** to be removed to a place of impoundment designated for that purpose by the **Manager** and the **Vehicle** shall remain impounded until it is claimed by the owner or their agent. If a vehicle is not claimed the Town will disposed of it in accordance with applicable regulations, Town Bylaws and Policies.
- (89) When a **Vehicle** is removed and impounded pursuant to the Bylaw, the registered owner or other **Person** alleged to have committed the offence shall be issued either a summons/violation ticket (Part 2) or an offense notice/violation ticket (Part 3) in accordance with the provisions of the Provincial Offences Procedure Act, in respect of the alleged offence.
- (90) A **Vehicle** impounded pursuant to this Bylaw shall remain impounded, notwithstanding that it may have been claimed by the owner or their agent, until all towing and storage charges in respect of removal and impoundment of the **Vehicle** have been paid in full.

REMOVAL AND IMPOUNDMENT OF SIGNS

- (91) A **Peace Officer** or **Bylaw Enforcement Officer** may remove or cause to be removed any unauthorized sign for the purpose of advertising from a **Park, Recreational or Public Area**, without notice to the **Person** who placed or erected the sign.
- (a) Removed signs will be stored by the **Town** until claimed by the owner or their agent. If a sign is not claimed the Town will disposed of it in accordance with applicable regulations, Town Bylaws and Policies..
 - (b) The **Person** who placed or erected the unauthorized sign shall pay to the **Town** the cost incurred for the removal and storage of the sign, in addition to any fines issued in respect of the offence.

ENCROACHMENTS

- (92) A **Peace Officer, Bylaw Enforcement Officer** or the **Director** or their designate may, by notice in writing, order a **Person** who creates, allows or contributes in any way to the existence or continuance of an **Encroachment**, within the time specified in the notice, to:
- (a) stop the Encroachment;
 - (b) demolish or remove the **Encroachment**; or
 - (c) take any other measure specified in the notice to eliminate the **Encroachment** or alter the nature of the **Encroachment**.
- (93) If a property owner fails or refuses to comply with a directive from a **Peace Officer, Bylaw Enforcement Officer**, or the **Director** or their designate under this Section, the **Peace Officer, Bylaw Enforcement Officer**, or the **Director** or their designate may take any action necessary to carry out the order at the expense of the property owner in default, and the **Town** may recover the expenses thereof with the costs, by action or in like manner as municipal taxes.

GENERAL

- (94) The following are exempt from the provisions of this Bylaw:
- (a) The employees, servants and agents of the **Town** while acting in the course of their employment or duty.
 - (b) Any **Person** who has received the prior written permission of the **Director** or their designate to use the **Park, Recreational or Public Area** as a temporary access to that **Person's** private property.
- (95) The existence of a sign or notice is prima facie proof that it was properly designated and erected by the **Town** under this Bylaw.
- (96) In the event of a conflict between any of the provisions of this Bylaw and the provisions of any other Bylaw of the **Town**, the provisions of this Bylaw shall prevail.
- (97) In the prosecution of an alleged contravention of any of the provisions of this Bylaw, the onus of proof that the actions giving rise to the charge were previously authorized, shall lie upon the **Person** charged.
- (98) In the prosecution of an alleged contravention of any of the provisions of this Bylaw, the status of the **Park, Recreational or Public Area** lands in question shall be established upon viva voce testimony of the **Director** or their designate and the onus of proof that the **Park, Recreational or Public Area** lands upon which the contraventions are alleged to have occurred are not lands protected by this Bylaw, shall lie upon the **Person** charged with the offence.
- (99) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions and if any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, then all other provisions of this Bylaw shall remain valid and enforceable.
- (100) Bylaw No. 1123/1997 is hereby repealed upon this Bylaw coming into effect.

READ a first time this 10th day of September 2018 A.D,

READ a second time this _____ day of _____ 2018 A.D,

READ a third time this _____ day of _____ 2018 A.D,

PASSED and **SIGNED** this _____ day of _____ 2018 A.D,

MAYOR

MANAGER OF LEGISLATIVE & LAND SERVICES

SCHEDULE “A”
Permits & Permit Issuing Authorities

Permit Name	Permit Issuing Authority
Vendor Permit	Director or their Designate
Alcohol Sales and Consumption Permit	Director
Fireworks Permit	Fire Chief
Dangerous Objects Permit	Director
Encroachment Permit	Director
Firepit/Fireplace Permit	Director
Horse Permit	Director
Livestock Permit	Director or their Designate
Motor Vehicle Operating and Parking Permit	Director or their Designate
Public Gatherings Permit	Director or their Designate
Special Events Permit	Director or their Designate
Camping Permit	Director or their Designate
Perimeter Fence Permit	Director or their Designate
Permit to Cross Public Reserves - Vehicular	Director or their Designate

SCHEDULE "B"
Specified Fines

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
Bicycles				
(8)	Riding a Bicycle where prohibited	\$50.00/offence	\$50.00/offence	\$20.00
(9)	Riding a Bicycle without proper equipment (rider or Bicycle)	\$50.00/offence	\$50.00/offence	\$20.00
Business Activities				
(12)(a)	Erecting signs	\$150.00/occurrence	\$250.00/occurrence	\$50.00/occurrence
(12)(b)	Distributing handbills or circulators	\$150.00/day		\$50.00 for first day
(12)(c)	Using audible advertising device	\$100.00/day		\$30.00 for first day
(12)(d)	Selling of articles for a fee without Permit	\$250.00/day	\$250.00/day	\$50.00 for first day
Conduct				
(14)	Obstructing free use or enjoyment of a Park, Recreational, or Public Area	\$150.00/offence		\$50.00/offence
(15)	Public Nuisance	\$150.00/offence		\$50.00/offence
(16)	Consumption or display of alcohol without permit	\$150.00/offence		\$50.00/offence
(17)	Consumption or display of Cannabis	\$150.00/offence		\$50.00/offence
(18)	Entering a Park while intoxicated under the influence of alcohol or drugs	\$150.00/offence		\$50.00/offence
Damage to Property				
(19)(a)	Damaging fences, buildings, playgrounds, or other structures	\$250.00/offence	\$200.00/offence	\$50.00/offence
(19)(b)	Destroying, removing or attaching any posters or material to trees or Vegetation	\$100.00/offence		\$20.00/offence
(19)(c)	Walking, standing or sitting on flower or shrub beds	\$50.00/offence		\$20.00/offence
(19)(d)	Walking, crossing or using any grass, plot, or land where prohibited	\$100.00/offence		\$20.00/offence
Dangerous Objects				
(20)(a)	Carrying or discharging fireworks without a permit	\$500.00/offence		Part 2 or Part 3

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
(20)(b); (20)(c)	Carrying or discharging Firearms or explosives	\$500.00/offence		Part 2 or Part 3
(20)(d)	Casting stones or missiles	\$300.00/offence	\$300.00/offence	Part 2 or Part 3
(20)(e)	Propelling golf balls	\$300.00/offence	\$300.00/offence	Part 2 or Part 3
(20)(f)	Shooting projectiles	\$500.00/offence		Part 2 or Part 3
Encroachments				
(21)	Creating, allowing, or contributing to an encroachment	\$50.00/offence	\$50.00/day	
Entrance				
(25)	Entering a Park, Recreational or Public Area when prohibited	\$100.00/offence	\$100.00/offence	
Fires				
(28)(29)	Lighting a fire where prohibited	\$500.00/offence		Part 2 or Part 3
(29)	Removing firewood from a Park	\$100.00/offence		\$20.00 for first offence
Horses				
(31)(32)	Having or riding a horse in undesignated area	\$100.00/offence		\$50.00 for first offence
Litter				
(33)(34)	Failing to properly dispose of litter	\$500.00/offence		\$100.00 for first offence
Livestock				
(35)	Having livestock in a prohibited area	\$250.00/offence	\$200.00/offence	\$50.00/offence
Motor Vehicles or Trailers				
(36)	Operating a Motor Vehicle in a restricted area	\$250.00/offence		\$50.00 for first offence
(37)	Parking a Motor Vehicle in a restricted area	\$250.00/day	\$200.00/day	\$50.00 for first day
(38)	Parking on a Roadway where prohibited	\$150.00/day	\$150.00/offence	\$50.00/offence
(39)	Abandoning a Motor Vehicle	\$200.00/offence		\$50.00/offence
Park Open Waters				
(40)(a)	Swimming or wading where prohibited	\$150.00/offence		\$50.00/offence
(40)(b)	Operating a floatation device where prohibited	\$150.00/offence		\$50.00/offence
0	Operating a boat, board, canoe, kayak, water skis, or remote controlled boat where prohibited	\$150.00/offence		\$50.00/offence
(41)	Fishing where not permitted	\$100.00/offence		\$20.00/offence

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
Public Gatherings				
(42)(a)	Organizing an unauthorized procession or performance	\$250.00/offence		Part 2 or Part 3
(42)(a)	Taking part in an unauthorized procession or performance	\$50.00/offence		\$20.00/offence
(42)(b)	Organizing an unauthorized public address	\$250.00/offence		Part 2 or Part 3
(42)(b)	Taking part in an unauthorized public address	\$50.00/offence		\$20.00/offence
(42)(c)	Organizing an unauthorized demonstration	\$250.00/offence		Part 2 or Part 3
(42)(c)	Taking part in an unauthorized demonstration	\$50.00/offence		\$20.00/offence
(42)(d)	Operating any amplifying system or loudspeaker	\$100.00/offence	\$100.00/offence	\$20.00/offence
Special Events				
(43); Error! Reference source not found.	Hosting a special event without proper permits and approvals	\$250.00/day		\$50.00 for first day
Campground				
(47)	Camping in undesignated area	\$200.00/day		\$50.00 for first day
(48)	Camping without a permit	\$200.00/day		\$50.00 for first day
(51)	Failing to display camping permit	\$50.00/day		\$20.00 for first day
(49)	Alter or defacing camping permit	\$50.00/offence		\$20.00/ for first offence
(52); (53)	Exceeding number of allowable Camping Accommodation Units or Motor Vehicles	\$100.00/offence	\$100.00/offence	\$20.00/ for first offence
(54)	Violating campsite visitor regulations	\$50.00/offence		
(55)	Exceeding Occupancy	\$100.00/offence	\$100.00/offence	\$20.00/ for first offence
(56)	Exceeding permitted length of stay	\$100.00/day		\$20.00 for first day
(58)	Interfering with right to quiet	\$100.00/offence		\$20.00/ offence
(59)	Defacing or destroying objects	\$150.00/offence		\$50.00/ for first offence
(62)	Consuming alcohol or Cannabis outside individual campsite	\$150.00/offence		\$50.00/ for first offence
Perimeter Fences				

Section	Violation	Penalty	Proposed	Reduction in Town Ticket if Paid in 21 days
(69)	Failing to comply with Perimeter Fence regulations	\$100.00/offence		\$20.00/ offence
(70)	Failing to obtain Perimeter Fence permit for construction or modifications	\$100.00/offence	\$250.00/offence	\$50.00/ for first offence

TOWN OF REDCLIFF
REQUEST FOR DECISION

DATE: September 24, 2018

PROPOSED BY: Planning & Engineering Department

TOPIC: Bylaw 1870/2018, Business License Bylaw

PROPOSAL: That council consider giving second and third reading to proposed amendments to the Business License Bylaw

BACKGROUND:

Since the first reading of Bylaw 1870/2018, Business License Bylaw, Administration advertised for a non-statutory public hearing to be held during the regularly scheduled Council Meeting of September 24, 2018. At the time of writing this request for decision no comments have been received.

It has been brought to the attention of Administration that the section in Bylaw 1870/2018, Business License Bylaw, dealing with appeals of decisions of the Business License Inspector and Business License Issuer is not consistent with the MGA. These sections have been modified to make them consistent with the MGA and the amended as follows (*changes highlighted in red and italicized*).

- (20) In every case where a **Business License** has been refused, revoked, or suspended, the **Applicant** or **Business Licensee** may *request an administrative review of the decision be performed by appeal to* the **Manager**. *The administrative review shall only consider if the decision of the **Business License Inspector** or **Business License Issuer** is consistent with established Town Bylaws, Policies and Procedures.*
- (21) Where the **Applicant** or **Business Licensee** is not satisfied with the *decision administrative review* of the **Manager**, the **Applicant** or **Business Licensee** may appeal the **Manager's** decision to **Council**.
- (22) With respect to Sections **Error! Reference source not found.** and (20) the **Manager** and or **Council** may:
- (a) Confirm the refusal, revocation, or suspension;
 - (b) Direct the **Business License** to be issued;
 - (c) Reinstate the revoked **Business License**; or
 - (d) Remove or vary the suspension of the **Business License**.
- (23) An *administrative review under Section 20 or an* appeal *made* under *Sections (19) and* Section (20) shall be made by the **Applicant** or **Business Licensee** within 30 days after such refusal, revocation, ~~or~~ suspension or administrative review.

- (24) The fees for *an administrative review or* appeal of a decision of the **Business License Inspector, Business License Issuer or Manager** are contained in the Fees Rates and Charges Bylaw.
- (25) All *requests for administrative reviews or* appeals under Sections **Error! Reference source not found.** and (20) shall be made in writing addressed to the **Manager** of the **Town** and shall be dated as of the date received by the **Manager**.

To bring Bylaw 1870/2018, Business License Bylaw, into consistency with the current practice of placing all Fees, Rates and Charges in the Fees, Rates and Charges Bylaw, the Bylaw, has been amended to delete Schedule B, Fees.

Note: The following background is included from the previous RFD to allow for ease of access to the information.

Federal legalization of recreational cannabis will occur October 17th, 2018. Municipalities like Redcliff have authority over regulating cannabis-related business within Town limits. Proposed amendments to the Business License Bylaw set specific requirements for cannabis-related businesses acquiring a business license, in alignment with provincial regulations.

The Alberta Safety Codes Council released a Standata in May 2018 with regards to safety inspection requirements for Mobile Cooking Operations, commonly known as food trucks. Proposed amendments to the Business License Bylaw incorporate safety inspection requirements for food trucks, and outline where food trucks are allowed to locate in Redcliff.

The need for minor organizational, spelling, and grammatical amendments to the Business License Bylaw were also noted, as the bylaw is from 2009 and requires updating.

Bylaw Amendment Process & Consultation:

Research

Resources from the Alberta Urban Municipalities Association (AUMA), Brownlee LPP, the Federation of Canadian Municipalities, the Alberta Gaming and Liquor Commission, Health Canada, Alberta Health Services, and various municipalities in Alberta were reviewed and considered prior to drafting the proposed amendments to Redcliff's Business License Bylaw.

Council Involvement

Ten requests for decision related to cannabis legalization were brought to council on April 9th to provide Administration with policy direction. Council was also provided with the public engagement results, for information, on April 9th.

Public & Stakeholder Involvement

A public survey was released on March 6th and collected 467 responses before closing on March 31st. Additionally, two open houses on cannabis legalization were held at Town Hall on March 15th and 20th. Members of Administration also met with representatives from the RCMP and City of Medicine Hat to discuss approaches to cannabis legalization.

Summary of Proposed Changes:

Cannabis-related Businesses

- Definitions of Cannabis Production and Distribution Facility and Cannabis Retail Store were added
- Business License approval for a Cannabis Retail Store or Cannabis Production and Distribution Facility is conditional upon receipt of a:
 - copy of the federal/provincial cannabis license; and
 - list of staff members and background checks (the provincial and federal governments require background checks for all employees)
- Licensees must provide the License Inspector with an updated staff list within 30 days of a staffing change coming into effect
- Staff lists will be shared with RCMP
- Cannabis-related business licenses will be revoked or suspended if the federal/provincial license is revoked/suspended
- As per council resolution on April 9th, 2018 business license application fees for Cannabis-related businesses are identical to other businesses (\$55.00/year for a resident business)

Food Truck Related Businesses

- Definitions added for Mobile Cooking Operation and Mobile Food Vendor.
- Mobile Cooking Operations
 - Business License approval for a Mobile Cooking Operation is conditional upon receipt of:
 - proof of a valid inspection certificate, issued by an Alberta Safety Codes Officer, within the last 6 months, to ensure consistency with the Alberta Safety Codes Council requirements; and
 - a site location plan indicating the applicant's intended operation locations, to provide greater predictability to the Bylaw Enforcement Officer of food truck locations.
- Mobile Food Vendors
 - Business License approval for a Mobile Cooking Operation is conditional upon receipt of:
 - a site location plan indicating the applicant's intended operation locations, to provide greater predictability to the Bylaw Enforcement Officer of food truck locations.
- Permitted locations for Mobile Cooking Operations and Mobile Food Vendors were added to ensure greater predictability of food truck location, and to ensure food trucks wouldn't be located in inappropriate areas such as residential districts.

General

- Created a title of License Issuer to allow for multiple members of staff to be able to assign Business Licenses. This was done to facilitate better processing of Business License applications instead of relying completely on the Bylaw Enforcement Officer.
- Provision added to allow the License Inspector or License Issuer to impose conditions on any Business License.
- Violation and penalty section updated to match new provincial regulations regarding ticketing.
- Transferring of Business Licenses now prohibited. Due to the low cost of getting Business License allowing the transfer of Business Licenses adds an unnecessary level of complexity. (6 Sections were replaced by one).
- Specific fines for specific contraventions of the bylaw were added to provide clarity to bylaw enforcement. Previously, the bylaw stated a first offence was \$100.00 and \$200.00 for each subsequent offence.
- New section added, "Additional Provisions", to list all specific provisions for specific businesses in one place.

Clause added stating that a Bylaw Enforcement Officer is a License Inspector. This simplifies the administration of the Bylaw and allows for some flexibility for staffing in the future.

POLICY/LEGISLATION:

Federal: Bill C-45, the Cannabis Act

Provincial: Bill 26, An Act to Control and Regulate Cannabis

O.C. 027/2018, Gaming and Liquor Amendment Regulation

Bill 6, Gaming and Liquor Statutes Amendment Act

STRATEGIC PRIORITIES:

Amendments to the land Use Bylaw are necessary to prepare for cannabis legalization.

ATTACHMENTS:

Proposed Business License Bylaw 1870/2018

OPTIONS:

1. Council give second reading to Bylaw 1870/2018, Business License Bylaw, as amended.
2. Council give second, as amended and third reading to Bylaw 1870/2018, Business License Bylaw.
3. Council not give second reading to Bylaw 1870/2018, Business License Bylaw.


RECOMMENDATION:

Option 2

SUGGESTED MOTION(S):

1. i) Councillor _____ moved Bylaw 1868/2018, being the
Business License Bylaw be given second reading, as amended.
- ii) Councillor _____ moved Bylaw 1868/2018, being the
Business License Bylaw be given third reading.

SUBMITTED BY:



Department Head



Municipal Manager

**BYLAW NO: 1870/2018
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE LICENSING OF ALL BUSINESS ENTERPRISES OPERATING WITHIN THE CORPORATE LIMITS OF THE TOWN OF REDCLIFF.

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, a Council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business.

NOW THEREFORE the Council of the Town of Redcliff, duly assembled, enacts as follows:

**PART I
SHORT TITLE, DEFINITIONS**

SHORT TITLE

- (1) This Bylaw may be cited as the “Business License Bylaw.”
- (2) The following Acts and Regulations are referenced in this Bylaw and are referred to in this Bylaw by their short title as listed below:

	Act or Regulation	Short Title
(a)	Controlled Drugs and Substances Act, R.S.C. 1996, c. 19, as amended or replaced	Controlled Drugs and Substances Act
(b)	Traffic Safety Act, R.S.A. 2000 Chapter T-6 of Alberta, as amended or replaced	Traffic Safety Act
(c)	Apprenticeship and Industry Training Act, R.S.A. 2000 Chapter A-42 of Alberta, as amended or replaced	Apprenticeship and Industry Training Act
(d)	Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34 of Alberta and its regulations, as amended or replaced	Provincial Offences Procedure Act
(e)	Real Estate Act	Real Estate Act
(f)	Criminal Code of Canada, R.S.C 1985, Chapter C-46 of Canada and its regulations, as amended or replaced.	Criminal Code
(g)	Alberta Gaming, Liquor and Cannabis Act, R.S.A. 2000, Chapter G-1 and its regulations, as amended or replaced	Gaming, Liquor and Cannabis Act

DEFINITIONS

- (3) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (2) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (4) In this Bylaw:
- (a) **ADULT SERVICES** shall mean any business providing for adult entertainment, usually in the form of live performances, or electronic or photographic reproductions featuring full or partial nudity, or sexual services.
 - (b) **APPLICANT** shall mean a **Person** who applies for a:
 - (i) **Business License**; or
 - (ii) renewal of an existing **Business License**.
 - (c) **APPLICATION** shall mean a written **Application** for a **Business License** on a form provided by the **Business License Inspector** or **Business License Issuer**.
 - (d) **BUSINESS LICENSE** shall mean a **Business License** issued pursuant to this Bylaw.
 - (e) **BUSINESS LICENSEE** shall mean a **Person** holding a valid and subsisting **Business License** issued pursuant to the provisions of this Bylaw.
 - (f) **BUSINESS LICENSE FEE** shall mean the fee charged by the **Town** to process and administer a **Business License**.
 - (g) **BUSINESS LICENSE INSPECTOR** shall mean an employee of the **Town** appointed by the **Town** as a **Business License Inspector**.
 - (h) **BUSINESS LICENSE ISSUER** means an employee of the **Town**, designated by the **Manager**, to issue **Business Licenses**, which may also be the **Business License Inspector**.
 - (i) **BUSINESS LICENSE YEAR** means the period commencing January 1st and ending December 31st of the same calendar year.
 - (j) **BUSINESS PREMISES** shall mean any place where a **Person** is **Carrying-on-Business** and includes any land, building, structure, vehicle, or location.
 - (k) **BYLAW ENFORCEMENT OFFICER** means a **Person** appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town**.
 - (l) **CARRYING-ON-BUSINESS** shall include any trade, profession, industry, vocation, or calling that provides goods and/or services for gain, benefit, advantage, or livelihood. Proof of one transaction in the business within the boundaries of the **Town** is sufficient to establish that the **Person** carried on or engaged in the business.
 - (m) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.

- (o) **CANNABIS PRODUCTION AND DISTRIBUTION FACILITY** means the business, as licensed by Health Canada, primarily for one or more of the following:
 - (i) the production, cultivation, and growth of **Cannabis**;
 - (ii) the making, testing, manufacturing, assembling, processing, or in any way altering the chemical or physical properties of semi-finished **Cannabis** goods and products;
 - (iii) the storage of **Cannabis** materials, goods and products; or
 - (iv) the transporting, shipping and sale of materials, goods and products to the Alberta Gaming and Liquor Commission or other agencies designated by provinces outside of the province of Alberta responsible for the distribution and sale of **Cannabis** in those provinces.
- (p) **CANNABIS RETAIL STORE** means the business of displaying and selling recreational **Cannabis** and **Cannabis** accessories, as authorized by the Alberta Gaming, Liquor, and Cannabis Act.
- (q) **CHARITABLE OR NON-PROFIT OR NOT-FOR-PROFIT ORGANIZATION** means an association acting for a charity or in promotion of the general social welfare and must be registered as a charity under a Federal or Provincial Act or regulation.
- (r) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
- (s) **CRAFT OR TRADE SHOW** means an organized activity at which:
 - (i) crafts, goods or services are displayed and/or for sale by **Charitable or Non-Profit or Not-For-Profit Organization(s)**; or
 - (ii) trades people are offering goods or services for sale for a profit.
- (t) **ESCORT** means any business providing escort services.
- (u) **GARAGE SALES** means the displaying and offering for sale of five or more items of goods, wares or merchandise on private residential property.
- (v) **GENERAL CONTRACTOR** shall mean any **Person** who enters into a contract with another **Person** for the purpose of erection, alteration, cleaning, moving, repair, or demolition of a building or structure or other infrastructure, and who may or may not enter into contracts with **Sub-Contractors** for the undertaking of certain elements of the overall project.
- (w) **HOME OCCUPATION – WITH CLIENTS** means an occupation, trade, profession, or craft carried out on a residential property by one or more of the occupants of the residence and clients come to the property to receive goods or services.
- (x) **HOME OCCUPATION – WITHOUT CLIENTS** means an occupation, trade, profession, or craft carried out on a residential property by one or more of the occupants of the residence and clients do not come to the property to receive goods or services.
- (y) **KID STAND** means an informal stand set up by children under the age of 12 to sell goods to passersby, typically located on private residential property.

- (z) **MANAGER** means a **Person** appointed to the position of Chief Administrative Officer for the **Town** by **Council**, and known as the Municipal **Manager**.
- (aa) **MECHANICAL TRADE** means any **Person** who, for compensation, carries on any of the trades designated in the regulations passed pursuant to the Apprenticeship and Industry Training Act, and includes, but is not limited to:
 - (i) electrical contractor;
 - (ii) plumbing contractor;
 - (iii) steamfitting & pipefitting contractor;
 - (iv) gasfitting contractor;
 - (v) motor mechanic;
 - (vi) auto body mechanic;
 - (vii) sheet metal contractor;
 - (viii) electronic technician;
 - (ix) refrigeration mechanic;
 - (x) heavy duty mechanic;
 - (xi) elevator contractor; and
 - (xii) locksmith.
- (bb) **MOBILE FOOD VENDOR** means a vehicle or trailer used to sell food, and may also be a **Mobile Food Cooking Operation**.
- (cc) **MOBILE COOKING OPERATION** means a food preparation, and or handling, and or processing unit, contained within a vehicle or trailer, that uses electricity, natural gas, wood, charcoal, or propane-powered commercial cooking equipment to prepare and store food, that may be parked or sited on a temporary basis and then moved to a different location.
- (dd) **NON-LOCAL BUSINESS** shall mean any business that is not a **Local Business**.
- (ee) **PEACE OFFICER** has the same definition as in the Provincial Offences Procedure Act.
- (ff) **PEDDLER** shall mean any **Person** who as principal or agent **Carries On Business** in the **Town** by soliciting, negotiating or concluding sales contracts in person at any place other than the seller's place of business, without an expressed invitation from the consumer and includes any **Person** that may be known as a huckster or transient trader. A **Person** selling farm produce grown or raised by the **Person** is not considered a **Peddler**.
- (gg) **PEDDLER LICENSE** shall mean a license issued to a **Person** to be a **Peddler** in the Town.
- (hh) **PERSON** shall mean a natural **Person**, trustee, legal representative, proprietorship, body corporate, association, or partnership.

- (ii) **REAL ESTATE BUSINESS** shall mean a business which facilitates the sale of real property, as defined within and governed by the Real Estate Act.
- (jj) **RENTAL ACCOMMODATION BUSINESS** shall mean **Carrying-on-Business** by the renting or leasing three or more dwelling units on one property.
- (kk) **LOCAL BUSINESS** shall mean a business that has a permanent **Business Premises** within the corporate limits of:
 - (i) The **Town** of Redcliff;
 - (ii) The City of Medicine Hat; or
 - (iii) Cypress County.
- (ll) **SEASONAL BUSINESS** shall mean:
 - (i) a garden tilling business;
 - (ii) a weed cutting business; or
 - (iii) the business of snow removal.
- (mm) **SUB-CONTRACTOR** shall mean any **Person** who enters into a contract with a **General Contractor** for the erection, alteration, moving, cleaning, repair or demolition of any building or structure in the **Town** and, the includes a **Person** who carries on any one or more of the following businesses:
 - (i) builder or carpenter;
 - (ii) roofing, siding application, and window/door moulding capping, or stucco;
 - (iii) application, glass installing, door installing, plastering, or eavestrough installing;
 - (iv) excavating, landscaping, concrete or asphalt installing, reinforcing steel installing, sewer or water pipe and equipment installation, or paving;
 - (v) structural steel installation, welding contracting, brick or stone mason;
 - (vi) building movers or demolition;
 - (vii) drywall and lath installing, flooring installing, painting and decorating, paper hanging, terrazzo or tile contracting;
 - (viii) ceiling installing, acoustical installation; and
 - (ix) janitor service, window washing contractor, rug and upholstery cleaning, or chimney cleaning.
- (nn) **TOWN** means the municipal corporation of the **Town** of Redcliff or the area contained within the **Town** boundaries as the context requires.

PART 2 GENERAL REGULATIONS

REQUIREMENT TO POSSESS BUSINESS LICENSE

- (5) Every **Person Carrying-on-Business** within the corporate limits of the **Town** is required to have a current, valid **Business License** issued pursuant to the provisions of this Bylaw, unless exempted by Federal or Provincial statutes or regulations.
- (6) A **Business License** does not give a person the right to be a **Peddler**. A separate **Peddler License** is required for a **Peddler**.
- (7) Advertising for sale on a private property more than one building, boat, motor vehicle, recreational vehicle or equipment of any kind is considered to be **Carrying-on-Business**.

BUSINESS LICENSE APPLICATION REQUIREMENTS

- (8) **Application** for a **Business License** shall:
 - (a) Be in writing on the current standard form;
 - (b) Be signed and submitted by the **Person** or a director or officer of the **Person** intending to be **Carrying-on-Business**;
 - (c) Be accompanied by a Certificate of Qualification where such Certificate is required by Federal or Provincial statute or regulation for the operation or performance of a particular business, calling, profession, trade, or occupation; and
 - (d) Include payment of the **Business License Fee** as set out in the **Town's Fees, Rates and Charges Bylaw**.

TERMS OF BUSINESS LICENSE

- (9) The **Business License Inspector** or **Licence Issuer** may refuse to grant a **Business License** if:
 - (a) The application is incomplete;
 - (b) Required Federal or Provincial licensing or Certificate of Qualification has not be provided;
 - (c) There are reasonable grounds to believe the business may jeopardize public health and safety;
 - (d) There are reasonable grounds to believe the business will be or is involved in criminal activities; or
 - (e) There are reasonable grounds to believe the business will contravene or is in contravention of **Town** bylaws.
- (10) The **Business License Inspector** or **Business License Issuer** shall only issue a **Business License** for a **Business Premises** located in the **Town** if there is an approved Development Permit for the proposed **Business Premises**, if required.

- (11) The **Business License Inspector** or **Business License Issuer** may impose any conditions on a **Business License** that are deemed necessary to:
- (a) Protect the public health and safety;
 - (b) Reduce the potential for the **Business Licensee** to be involved in criminal activities;
 - (c) Reduce the potential for contraventions of the **Town** bylaws; and
 - (d) Protect the public interest.
- (12) Every **Business License** issued under the provisions of this Bylaw shall terminate at midnight on the 31st day of December of the **Business License Year** in which the **Business License** was issued, unless the **Business License** is terminated by revocation or surrendered prior to midnight on the 31st day of December of the **Business License Year**.

POSTING AND INSPECTION

- (13) Every **Business License** issued pursuant to this Bylaw shall be picked up by the **Business Licensee**, or delivered or mailed to the **Business Licensee** by the **Town**.
- (14) The **Business Licensee** shall post the **Business License** in a conspicuous place on the **Business Premises**.
- (15) All **Business Premises** located within the corporate limits of the **Town** in respect of which a **Business License** has been applied for or has been issued pursuant to the provisions of this Bylaw shall be subject to inspection by the **Business License Inspector**.
- (16) A **Business Licensee** shall produce the **Business License** for inspection purposes whenever required to do so by the **Business License Inspector**.
- (17) The **Business License Inspector** is hereby authorized to enter into any **Business Premises** during normal business hours located within the corporate limits of the **Town** in respect of which a **Business License** has been applied for or has been issued pursuant to the provisions of this Bylaw, to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw.

REVOCATION, AND SUSPENSION

- (18) The **Business License Inspector** may revoke or suspend a **Business License** if, in their opinion:
- (a) Public health and safety may be jeopardized by the continuation of the business;
 - (b) There is a breach of the Criminal Code that warrants the revocation or suspension; or
 - (c) The **Business Licensee** is in continual and ongoing contravention of this Bylaw or other bylaws of the **Town**.
- (19) Upon a **Business License** being revoked or suspended, the **Business License Inspector** shall notify the holder of the **Business License** by delivering the notice personally, or by registered or certified mail to the place of business as shown on the **Business License**.

APPEALS OF BUSINESS LICENSE INSPECTOR OR BUSINESS LICENSE ISSUER DECISIONS

- (20) In every case where a **Business License** has been refused, revoked, or suspended, the **Applicant** or **Business Licensee** may request an administrative review of the decision be performed by appeal to the Manager. The administrative review shall only consider if the decision of the Business License Inspector or Business License Issuer is consistent with established Town Bylaws, Policies and Procedures.
- (21) Where the **Applicant** or **Business Licensee** is not satisfied with the decision administrative review of the **Manager**, the **Applicant** or **Business Licensee** may appeal the **Manager's** decision to **Council**.
- (22) With respect to Sections (20) and (21) the **Manager** and or **Council** may:
- (a) Confirm the refusal, revocation, or suspension;
 - (b) Direct the **Business License** to be issued;
 - (c) Reinstate the revoked **Business License**; or
 - (d) Remove or vary the suspension of the **Business License**.
- (23) An administrative review under Section (20) or an appeal made under Sections (19) and (21) shall be made by the **Applicant** or **Business Licensee** within 30 days after such refusal, revocation, or suspension or administrative review.
- (24) The fees for an administrative review or appeal of a decision of the **Business License Inspector, Business License Issuer** or **Manager** are contained in the Fees Rates and Charges Bylaw.
- (25) All requests for administrative reviews or appeals under Sections (20) and (21) shall be made in writing addressed to the **Manager** of the **Town** and shall be dated as of the date received by the **Manager**.

TRANSFER OF BUSINESS LICENSE

- (26) A **Business Licensee** may not transfer a **Business License** to another **Person**.

PART 3**ADDITIONAL REGULATIONS REGARDING CERTAIN BUSINESSES****CANNABIS PRODUCTION AND DISTRIBUTION FACILITY**

- (27) Approval of an **Application** for a **Business License** for a **Cannabis Production and Distribution Facility** shall be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer**:
- (a) Proof of a valid and subsisting license issued by Health Canada; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Production and Distribution Facility**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set by Health Canada and applicable legislation.
- (28) The **Business License Inspector** or **Business License Issuer** will share all information received in the above Section with the local detachment of the RCMP.

- (29) The **Business Licensee** for a **Cannabis Production and Distribution Facility** must maintain and keep on the premises:
- (a) Proof of a valid and subsisting license issued by Health Canada; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Production and Distribution Facility**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set by Health Canada and applicable legislation.
- (30) Upon request by the **Business License Inspector**, the **Business Licensee** must produce the license issued by Health Canada and an up-to-date list of all persons employed with all documents required by federal legislation for a **Person** to be employed at a **Cannabis Production and Distribution Facility**.
- (31) The **Business Licensee** shall provide the **Business License Inspector** or **Business License Issuer** with a written notice of any changes to persons employed at the **Cannabis Production and Distribution Facility**, within 30 days of the employment change coming into effect.
- (32) A **Business License** for a **Cannabis Production and Distribution Facility** is automatically revoked if at any time the business's Health Canada license is revoked, cancelled, or expired and not renewed.

CANNABIS RETAIL STORE

- (33) Approval of an **Application** for a **Business License** for a **Cannabis Retail Store** shall be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer**:
- (a) Proof of a valid and subsisting license pursuant to the Alberta Gaming, Liquor, and Cannabis Act and other applicable legislation; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Retail Store**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set out in the Alberta Gaming, Liquor and Cannabis Act and other applicable legislation.
- (34) The **Business License Inspector** or **Business License Issuer** will share all information received in the above Section with the local detachment of the RCMP.
- (35) The **Business Licensee** for a **Cannabis Retail Store** must maintain and keep on the premises:
- (a) Proof of a valid and subsisting license issued under the Alberta Gaming, Liquor and Cannabis Act; and
 - (b) An up-to-date list of all persons employed in the **Cannabis Retail Store**, including proof of each employee's compliance with any qualifications, conditions, or training requirements set out in the Gaming, Liquor and Cannabis Act, or other applicable legislation.

- (36) Upon request by the **Business License Inspector**, the **Business Licensee** must produce the license issued under the Alberta Gaming, Liquor and Cannabis Act and up-to-date list of all persons employed with all documents required by Alberta Gaming, Liquor and Cannabis Act for a **Person** to be employed at a **Cannabis Production and Distribution Facility**.
- (37) The **Business Licensee** shall provide the **Business License Inspector** or **Business License Issuer** with a written notice of any changes to persons employed at the **Cannabis Retail Store**, within 30 days of the employment change coming into effect.
- (38) A **Business License** for a **Cannabis Retail Store** is automatically revoked if at any time the business' provincial license is revoked, cancelled, or expired and not renewed.

MOBILE FOOD VENDOR

- (39) Approval of an **Application** for a **Business License** for a **Mobile Food Vendor** shall:
- (a) Be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer** with a site location plan indicating the **Applicant's** intended operation locations.
- (40) If the **Applicant** wishes to operate a **Mobile Food Vending** unit in a location not identified in their original location plan, they must provide the **Business License Inspector** or **Business License Issuer** with an updated location plan and receive **Business License Inspector** or **Business License Issuer** approval.
- (41) A **Business License Fee** for a **Mobile Food Vendor** shall be paid to the **Town** at the time of the **Business License Application** and may be for a daily, weekend, monthly or **Business Year**, as chosen by the **Applicant**, as set out in the Fees, Rates and Charges Bylaw.
- (42) A **Mobile Food Vendor**, while in operation, may be located, subject to the approval of the **Business License Inspector** or **Business License Issuer**:
- (a) On private property, with written consent from the landowner, in the Downtown Commercial, General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial Land Use Districts, as defined in the Land Use Bylaw; or
 - (b) On **Town** owned land, streets, roads, and highways.

MOBILE COOKING OPERATION

- (43) Approval of an **Application** for a **Business License** for a **Mobile Cooking Operation** shall be conditional upon the **Applicant** providing the **Business License Inspector** or **Business License Issuer**:
- (a) Proof of a valid Inspection Certificate, issued by an Alberta Safety Codes Officer, within the past 6 months; and
 - (b) A site location plan indicating the **Applicant's** intended operation locations.
- (44) If the **Applicant** wishes to operate a **Mobile Cooking Operation** in a location not identified in their original location plan, they must provide the **Business License Inspector** or **Business License Issuer** with an updated location plan and receive **Business License Inspector** or **Business License Issuer** approval.

- (45) A **Business License Fee** for a **Mobile Cooking Operation** shall be paid to the **Town** at the time of the **Business License Application** and may be for a daily, weekend, monthly or **Business Year**, as chosen by the **Applicant**, as set out in the Fees, Rates and Charges Bylaw.
- (46) A **Mobile Cooking Operation**, while in operation, may be located, subject to the approval of the **Business License Inspector** or **Business License Issuer**:
- (a) On private property, with written consent from the landowner, in the Downtown Commercial, General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial Land Use Districts, as defined in the Land Use Bylaw; or
 - (b) On **Town** owned land, streets, roads, and highways.

PEDDLER

- (47) Every **Peddler** engaged in **Carrying-on-Business** in the **Town** shall carry on their person a **Peddler License** issued by the **Business License Inspector** or **Business License Issuer**.
- (48) A **Peddler License** shall be applied for and subject to the approval of the **Business License Inspector** or **Business License Issuer** prior to the **Peddler Carrying-on-Business** in the **Town**.
- (49) A **Peddler License** will not be issued to a trustee, legal representative, proprietorship, body corporate, association, or partnership.
- (50) **Application** for a **Peddler License** shall:
- (a) Be in writing on the current standard **Town** form;
 - (b) Be signed and submitted by the **Person** intending to be a **Peddler**;
 - (c) Be accompanied with photo identification document(s) acceptable to the **Business License Inspector** or **Business License Issuer** that includes a unique identification number;
 - (d) Include a criminal record check, completed in the last 90 days, for every **Person** who wishes to carry on business as a **Peddler**. In the case where a **Peddler** will be representing a **Person Carrying-on-Business**, other than the **Peddler**, include by a criminal record check, completed in the last 90 days, for the owner or manager of the **Person Carrying-on-Business**;
 - (e) Be accompanied by a Certificate of Qualification where such Certificate is required by Federal or Provincial statute or regulation for the operation or performance of a particular business, calling, profession, trade, or occupation; and
 - (f) Include payment of the **Business License Fee** as set out in the **Town's Fees, Rates and Charges Bylaw**.

- (51) The **Business License Inspector** or **Business License Issuer** shall not issue a **Peddler License** if the **Applicant** has within the preceding two years been found guilty of theft, fraud, possession of stolen property or any other criminal offence involving an imputation of dishonest or fraudulent conduct, or person crimes, in Canada or in any other country so far as the **Business License Inspector** or **Business License Issuer** is able to determine with the assistance of the RCMP.
- (a) This Section shall not be construed or interpreted to derogate from the discretion of the **Business License Inspector** or **Business License Issuer** to:
- (i) refuse to grant a **Peddler License** to a **Person** who has been convicted of a criminal offence of a type other than that specified in this Section; or
- (ii) refuse to grant a **Peddler License** to a **Person** who has been convicted of a criminal offence of a type mentioned in this Section, more than two years before the date on which the application is made.
- (52) The **Business License Inspector** or **Licence Issuer** may refuse to grant a **Peddler Business License** if:
- (a) The application is incomplete;
- (b) Required federal or provincial licenses or certificates have not be provided;
- (c) There are reasonable grounds to believe the **Peddler** may jeopardize the health and safety of the public;
- (d) There are reasonable grounds to believe the **Peddler** will be involved in illegal activities; and
- (e) There are reasonable grounds to believe that the **Peddler** will contravene the bylaws of the **Town**.
- (53) A **Peddler** shall produce the **Peddler License** and photo identification for inspection purposes whenever required to do so by a **Peace Officer** or **Business License Inspector**.
- (54) A **Peddler's License** shall be valid for only the term specified on the **Peddler License** and in no case shall the **Peddler License** be valid beyond midnight on the 31st day of December of the **Business License Year**. There is no renewal of a **Peddler's License**.
- (55) No **Person** shall carry on the business of a **Peddler** except between the hours of 9:00 a.m. and 8:00 p.m. on a day other than a statutory holiday.
- (56) The **Business License Inspector** may revoke or suspend a **Peddler License** if, in their opinion:
- (a) Public health and safety may be jeopardized by the continuation of the **Peddler License**;
- (b) There is a breach of the criminal code that would prevent the **Person** from receiving a **Peddler's License**; or
- (c) The **Peddler** is in continual and ongoing contravention of this bylaw and other bylaws of the **Town**.

- (57) Upon a **Peddler License** being revoked or suspended, the **License Inspector** shall notify the holder of the **Peddler License** by delivering the notice personally and requiring the **Peddler** to surrender the **Peddler License**. Where personal delivery and surrender of the **Peddler License** is not possible, the notice may be sent by registered or certified mail to the place of business as shown on the **Peddler License**.

SEASONAL BUSINESS

- (58) A **Business License** for a **Seasonal Business** shall be applied for and be subject to the approval of the **Business License Inspector** or **Business License Issuer** prior to the **Person Carrying-on-Business** in the **Town**. A **Business License Fee** as set out in the Fees, Rates and Charges Bylaw for a **Seasonal Business** shall be paid to the **Town** at the time of the **Business License Application**.
- (a) The provisions of sections (66)(67) shall not apply to **Business License Fees** a **Seasonal Business**.

PART 4 EXEMPTIONS

- (59) Schools, not for profits, and charitable organizations hosting fundraising events, including door to door fundraisers, and using volunteers, are exempt from requiring a **Business License**.
- (60) The provisions of this Bylaw shall not apply to a **Person Carrying-on-Business** exempted by provincial or federal statutes or regulations.
- (61) A **Business License** is required of the **Mechanical Trade** and not to individual employees of the licensed **Mechanical Trade**.
- (62) The holder of a **Business License** issued for a **Craft or Trade Show** in which all participants are Not for Profit Organizations and where the proceeds of the **Craft or Trade Show** are stated to be utilized toward a project within the **Town**, may apply to the **Business License Inspector** for a refund of the **Business License Fee**.
- (63) **Garage Sales** shall be permitted without a **Business License** subject to the following:
- (a) A maximum of two garage sales in each calendar year may be conducted on each private residential property in the **Town**.
- (b) A **garage sale** must not be conducted for a period of more than three days, whether consecutive or not.
- (64) **Kid Stands** (i.e. lemonade stand) shall be permitted without a **Business License** subject to the following:
- (a) The persons running the stand are under the age of 12 years,
- (b) The persons receiving profit from the stand are under the age of 12 years,

- (c) That the stand is informal and without:
 - (i) Regular business hours;
 - (ii) Professionally produced promotional materials;
 - (iii) Professional equipment; and
 - (iv) Walls and roofs;
- (d) Hours of operation are limited from 10:00 AM to 8:00 PM; and
- (e) Are not operated during class time on a Prairie Rose School Division school day.

PART 5 BUSINESS LICENSE FEES

- (65) **Business License Fees** for a **Business License** are set in the in Schedule “B” to this bylaw.
- (66) For a new **Business License**, the **Business License Fees** are payable when they are applied for as follows:
 - (a) between the 1st day of January and the 31st day of August in any **Business License Year** the **Business License Fee** shall be amount for the full year;
 - (b) between the 1st day of September and the 30th day of November in any **Business License Year** the **Business License Fee** shall be one-half the amount for the full year;
 - (c) after the 1st day of December the **Business License Fee** shall be 110% of the **Business License Fee** for the current **Business License Year** and the **Business Licensee** shall be for the date of issue until midnight on December 31 of the next **Business License Year**.
- (67) **Business License Fees** for renewal of an existing **Businesses License** become due on January 1 of the new **Business License Year**. Where a **Business License Fee** for renewal of a **Business License** has not been received by the **Town** before the first day of March of the new **Business License Year**, the **Business License** will be cancelled.

PART 6 OFFENCES, ENFORCEMENT AND PENALTIES

OFFENCES

- (68) Any Person who contravenes any provision of this Bylaw is guilty of an offense punishable by issuance of:
 - (a) A summons/violation ticket (Part 2); or
 - (b) An offense notice/violation ticket (Part 3).
- (69) Any notice, violation or summons ticket will be served by a **Bylaw Enforcement Officer** or a **Peace Officer** in accordance with the provisions of the Provincial Offences Procedure Act.

ENFORCEMENT

- (70) Where a **Peace Officer, Bylaw Enforcement Officer** or **Business License Inspector** believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) Enter the business to investigate;
 - (b) Request to see the copy of the **Business License** and any other documentation required as part of a **Business License** under this Bylaw;
 - (c) At their discretion, give **the Person** in contravention of this Bylaw 24 hours to correct the contravention;
 - (d) Serve upon the **Person** a written violation notice; or
 - (e) Commence proceedings by issuing ticket as outlined in Section (68).
- (71) Nothing in this Bylaw shall be construed as curtailing or abridging the right of the **Town** to obtain compensation or to carry out an action for loss of or damages to property from or against the **Person** responsible.
- (72) A **Person** shall not be convicted of an offence if it is established upon a preponderance of the evidence that the **Person** took all reasonable steps under the circumstances to avoid the contravention of this Bylaw.
- (73) Nothing in this Bylaw shall be construed as preventing any **Peace Officer** or **Bylaw Enforcement Officer** from issuing a summons or offence notice under the Provincial Offences Procedure Act or otherwise initiating court process in any manner permitted by law, in respect of an alleged offence for which a violation ticket may be issued.

INSPECTION OF DOCUMENTS

- (74) Upon the request of a **Peace Officer** or **Bylaw Enforcement Officer**, a **Person** holding a **Business License** or **Peddler License** shall produce the **Business License** or **Peddler License** issued pursuant to this bylaw.
- (75) Information obtained from any document inspected by a **Peace Officer** or **Bylaw Enforcement Officer**, under the authority of this Section, and submitted by them as evidence in a prosecution for an alleged contravention of this Bylaw, shall be prima-facie accepted by the Court as true information without the necessity of proof of the signature or the official capacity of the **Person** who signed or authorized the document(s) from which the information was obtained.

PENALTIES

- (76) A ticket issued under (68) Section shall state the:
- (a) Provision of this Bylaw alleged to have been contravened; and
 - (b) Fine set out in Schedule A of this Bylaw.
- (77) A ticket shall be deemed to be sufficiently served for the purposes of this Section if:
- (a) Served personally on the **Person** alleged to have contravened the provision of this Bylaw set out in the violation notice;

- (b) Mailed to the address of the **Business Premises** in respect of which the offence is alleged to have been committed, in which case service is deemed to have occurred on the seventh day after mailing of the violation notice, the day of mailing excluded; or
- (c) Attached to or left upon the main door of the **Business Premises** of which the offence is alleged to have been committed by.

GENERAL

- (78) For the purposes of this Bylaw, a **Bylaw Enforcement Officer** is also a **Business License Inspector**.
- (79) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions. If any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- (80) If any provision of the Bylaw provides for an exception or an exemption, the onus or burden of establishing the exception or exemption in any Court proceedings shall be on the person charged with the offence under the Bylaw.
- (81) The **Town** of Redcliff Bylaw No. 1618/2009 is hereby repealed upon this Bylaw coming into effect.

Read a first time this 10th day of September, 2018

Read a second time this _____ day of _____, 2018

Read a third time this _____ day of _____, 2018

Signed and Passed this _____ day of _____, 2018

MAYOR

MANAGER OF LEGISLATIVE & LAND SERVICES

SCHEDULE A
Specified Fines

Section	Description of Offence	Fine
(5), (67)	Carrying-on-Business without a Business License	\$500.00
(15)	Failing to produce a Business License for inspection purposes to the Business License Inspector	\$250.00
(31), (37)	Failing to produce an updated employee list within 30 days of staff changes occurring	\$100.00
(45)	Parking an operational Mobile Food Vendor or Mobile Cooking Operation in a prohibited area	\$250.00/day
(44)	Parking an operational Mobile Food Vendor or Mobile Cooking Operation in a permitted area not defined on the Business Licensee's site plan	\$50.00/day
	Carrying-on-Business as a Peddler without a Peddler Business License	\$500.00
(55)	Carrying-on-Business as a Peddler outside of the designated hours	\$200.00/offence
Other Offences	Any other offence of this Bylaw not specified or listed in Schedule A	Min: \$50.00 Max: \$1000.00

SCHEDULE B
Permit Fees

GENERAL CONTRACTOR	
As a Resident Business (15 km)	\$ 75.00
SUB-CONTRACTOR	
As a Resident Business (15 km)	\$ 75.00
MECHANICAL TRADE	
As a Resident Business (15 km)	\$ 75.00
RESIDENT BUSINESS (15 km)	\$ 55.00
NON-RESIDENT BUSINESS	\$330.00
HOME OCCUPATION - OTHER THAN CATALOG SALES	\$ 82.50
HOME OCCUPATION - CATALOG SALES	\$ 27.50
PEDDLER	
As a Resident Business (15 km)	
- full year	\$110.00
- one week	\$ 27.50
As a Non-Resident Business	
- full year	\$330.00
- per week	\$ 55.00
CIRCUS, CARNIVAL OR RODEO	
- per day	\$110.00
SEASONAL BUSINESS	\$ 27.50
BUSINESS LICENSE TRANSFER FEE	\$ 11.00
CRAB OR TRADE SHOW	
- per day	\$10.00

TOWN OF REDCLIFF
REQUEST FOR DECISION

DATE: September 24, 2018

PROPOSED BY: Planning & Engineering Department

TOPIC: Bylaw 1872/2018, Fees, Rates, and Charges Bylaw

PROPOSAL: That council consider giving first reading to proposed amendments to the Fees, Rates, and Charges Bylaw

BACKGROUND:

On August 20, 2018 Council gave first reading to amendments to the Business License Bylaw and directed Administration to bring an amendment to the Fees, Rates, and Charges Bylaw to bring business license related fees (without changes to the kinds or amounts) into the Fees, Rates, and Charges Bylaw.

POLICY/LEGISLATION:

N/A

STRATEGIC PRIORITIES:

It is an aspect of good governance to update bylaws. Part of the task of updating bylaws requires that other bylaws also need to be updated to maintain consistency between bylaws and ensure that rules and regulations that are still required have a statutory basis.

ATTACHMENTS:

Proposed amendment to the Fees, Rates, and Charges Bylaw 1872/2018.

OPTIONS:

1. That Council give first, second and third reading to Bylaw 1872/2018.
2. That Council give first reading to Bylaw 1872/2018.
3. That Council not give first reading to Bylaw 1872/2018.

RECOMMENDATION:

Option 1

SUGGESTED MOTIONS:

1. Councillor _____ moved Bylaw 1872/2018, being an amendment to Bylaw 1865/2018 Fees Rates & Charges Bylaw be given first reading.
2. Councillor _____ moved Bylaw 1872/2018, being an amendment to Bylaw 1865/2018 Fees Rates & Charges Bylaw be given second reading.
3. Councillor _____ moved that Bylaw 1872/2018 being an amendment to Bylaw 1865/2018 Fees Rates and Charges Bylaw be presented for third reading.
(Note: this vote must be unanimous to move to third reading.)
4. Councillor _____ moved Bylaw 1872/2018, being a bylaw to Amend Bylaw 1865/2018 Fees Rates & Charges Bylaw be given third reading.

SUBMITTED BY:



Department Head



Municipal Manager

**BYLAW NO. 1872/2018
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF TO AMEND BYLAW NO. 1865/2018 BEING THE FEES, RATES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY OR ON BEHALF OF THE TOWN OF REDCLIFF.

WHEREAS under the Municipal Government Act, a Municipal Council has broad authority to govern including authority to pass bylaws, respecting rates, fees and charges levied for goods and services provided by or on behalf of the Municipality;

AND WHEREAS, the Council for the Town of Redcliff desires to amend Bylaw No. 1865/2018 which was passed on June 11, 2018, to include the fees, rates and charges for Business Licensing from Bylaw 1618/2009 which is being repealed by Bylaw 1870/2018.

NOW THEREFORE, the Council of the Town of Redcliff in open meeting assembled, enacts as follows:

SHORT TITLE

- (1) This Bylaw may be cited as the "**Amendment to the Fees, Rates and Charges Bylaw (1865/2018)**".
- (2) Schedule A of this bylaw is appended to Schedule "A" of bylaw 1865/2018.

READ a first time this _____ day of _____, 2018 A.D.

READ a second time this _____ day of _____, 2018 A.D.

READ a third time this _____ day of _____, 2018 A.D.

PASSED and **SIGNED** this _____ day of _____, 2018 A.D.

MAYOR

MANAGER OF LEGISLATIVE &
LAND SERVICES

SCHEDULE "A"**GENERAL CONTRACTOR**

As a Resident Business (15 km)	\$ 75.00
---------------------------------------	----------

SUB-CONTRACTOR

As a Resident Business (15 km)	\$ 75.00
---------------------------------------	----------

MECHANICAL TRADE

As a Resident Business (15 km)	\$ 75.00
---------------------------------------	----------

RESIDENT BUSINESS (15 km)

\$ 55.00

NON-RESIDENT BUSINESS

\$330.00

HOME OCCUPATION - OTHER THAN CATELOG SALES

\$ 82.50

HOME OCCUPATION - CATELOG SALES

\$ 27.50

PEDDLER

As a Resident Business (15 km)	
---------------------------------------	--

- full year	\$110.00
-------------	----------

- one week	\$ 27.50
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As a Non-Resident Business	
-----------------------------------	--

- full year	\$330.00
-------------	----------

- per week	\$ 55.00
------------	----------

CIRCUS, CARNIVAL, OR RODEO

- per day	\$110.00
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SEASONAL BUSINESS

\$ 27.50

BUSINESS LICENSE TRANSFER FEE

\$ 11.00

CRAFT OR TRADE SHOW

\$100.00

- per day

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 24, 2018

PROPOSED BY: Municipal Manager

TOPIC: Strategic Plan

PROPOSAL: To finalize and adopt the multi-year strategic plan

BACKGROUND:

On July 20 and 21, 2018 Council, accompanied by Senior Management, participated in a 1 and a ½ day workshop in an effort to develop its vision and mission statement within the context of establishing its corporate strategic goals/priorities. At the August 20, 2018 regular council meeting the strategic priorities summary was adopted (it is included in the attached proposed Strategic Plan within the document appendix).

Accompanying the established priorities/goals are various strategies. Attached is the proposed final strategic plan. It is important to note that input and feedback was obtained from all councillors in this process.

The final and remaining step to this process to complete is an accompanying Operational Plan which will outline some of the tactics to be pursued and implemented in an effort to achieve the identified strategies and goals.

POLICY/LEGISLATION: n/a

STRATEGIC PRIORITIES: This process will establish council's new strategic priorities.

ATTACHMENTS: Draft Final Strategic Plan

OPTIONS:

1. Adopt the strategic plan as, including the vision, mission, goals, and strategies as presented and further direct administration to prepare a subsequent Operational Plan.
2. Adopt the strategic plan, including the vision, mission, goals, and strategies amended as follows:

- _____
- _____
- _____

RECOMMENDATION:

Given that Council has already adopted the summarized strategic priorities, Administration recommends option 1.

SUGGESTED MOTION(S):

1. Councillor _____ moved to adopt the strategic plan summary, including the vision, mission, goals, and strategies as presented and further direct administration to prepare a subsequent Operational Plan.
2. Councillor _____ moved to adopt the strategic plan, including the vision, mission, goals, and strategies amended as follows:

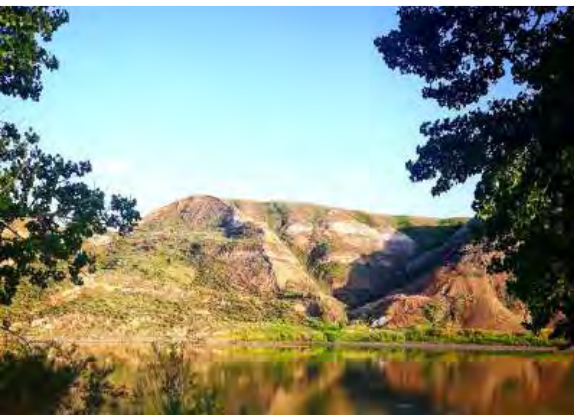
- _____
- _____
- _____

SUBMITTED BY:

Department Head



Municipal Manager



TOWN OF REDCLIFF 2018-21 STRATEGIC PLAN

September 2018

INTRODUCTION

Welcome to the Town of Redcliff's Strategic Plan for 2018 to 2021. This document outlines the Town of Redcliff's current goals and strategies to achieve its long-term vision for the community. It serves as a roadmap for Council and administration to align the Town's human and financial resources to overcome priority challenges and take key steps to improve the quality of life for Redcliff's residents. The 2018-21 Strategic Plan was developed with three questions in mind – what does life look like in Redcliff today, what do we want for our community in the future, and how will we get there?

This represents the Town's four-year plan, but it is not fixed in time. Priorities can change, and this plan may be updated to reflect the Town's changing environment. In addition, the Strategic Plan only focuses on new initiatives that will move the Town closer to its vision. This means that aspects of the Town's day-to-day delivery of services may not be reflected in the Strategic Plan but that does not diminish the importance or status of those services.



PROCESS TO DEVELOP THE STRATEGIC PLAN

On July 20-21, 2018, members of Town Council and administration engaged in a strategic planning session, facilitated by Reedy Insights. The session involved a three-phase process, beginning with an environmental scan of the strengths, weaknesses, opportunities and threats (SWOT) of both the community and the Town of Redcliff. Town representatives then reviewed and refined the Town's vision statement to clearly describe the desired future state of the community in the year 2050. Once the vision was defined, it allowed for the development of goals and strategies that will close the gap between the current environment and the future vision for the community. Administration's expertise and input was used in the development of priorities and strategies and Council refined the strategies using an exercise to determine the areas of highest priority.

VISION

Redcliff is a highly desirable and growing community that is known for its small-town feel and inclusive family-oriented environment, where residents and businesses thrive in a modern and diversified economy. The community's mix of development and scenic river valley offer a sought-after experience for both residents and visitors alike. In addition, the low cost of living and sustainable infrastructure assists people of all ages to enjoy Redcliff's abundant social, cultural and recreational opportunities.

MISSION

The Town of Redcliff strives to create a safe and inclusive community for its residents and businesses by demonstrating leadership and cost-effective delivery of public services.

ENVIRONMENTAL SCAN

The strategic planning process involved an environmental scan to understand Redcliff's strengths, weaknesses, opportunities and threats. The following information was noted in the environmental scan and considered during the strategic planning process.

DEMOGRAPHICS

<1%

**GROWTH IN
POPULATION**
between 2011-16 while
Alberta's population
grew by 11.5%¹

5,600

POPULATION
(2016)¹

37.2

MEDIAN AGE
higher than the
provincial median
age of 36.7¹

7%

**NON-ENGLISH
LANGUAGE**
spoken most often
at home¹

28%

YOUTH
19 years & under¹

8%

IMMIGRANTS¹

44%

POSTSECONDARY
certificate, diploma,
or degree¹

5%

**INDIGENOUS
IDENTITY¹**

15%

**LONE-PARENT
FAMILIES¹**

12%

SENIORS
65 years & older¹

ECONOMIC ENVIRONMENT

25%

EMPLOYED IN
sales and service
occupations¹

71%

TRAVEL
to a different
community
for work¹

227

BUSINESSES AND
94% HAVE LESS THAN
50 EMPLOYEES⁵

**TOWN-OWNED
LAND**

available for development

\$79,317

**MEDIAN
HOUSEHOLD
INCOME¹**

25%

EMPLOYED IN
trades, transport, or
equipment operators¹

Directly adjacent
to the
**TRANS-CANADA
HIGHWAY**

**PROXIMITY TO
MEDICINE HAT**
creates direct
competition for
labour and business
development

1 = Statistics Canada, Community Profile, 2016

2 = Alberta Municipal Affairs, Municipal Profiles, 2016

3 = Alberta Municipal Affairs, Municipal Profiles, 2017,
municipalities with populations between 4,500 and 6,500

4 = Alberta Municipal Affairs, Equalized Assessment, 2017

5 = Government of Alberta, Alberta Regional Dashboard, 2016

SOCIAL & HOUSING ENVIRONMENT

78%

**SINGLE DETACHED
HOUSES¹**

\$277,792
**AVERAGE VALUE
OF DWELLING¹**

13%

**SPEND 30%
or more of income
ON SHELTER¹**

**LIMITED TYPES
AND SUPPLY OF
SENIORS HOUSING**
creates challenges to age
in the community

**LARGE
GREENHOUSE
INDUSTRY**

offers an affordable
local food supply

**COMMUNITY
SAFETY**

is enhanced through the
local RCMP detachment

**LACK OF A
HIGH SCHOOL
FACILITY**

forces students to travel
outside of Redcliff for
education

75 KM

**LENGTH OF
WASTEWATER
MAINS
MAINTAINED²**

30 KM

**LENGTH OF STORM
DRAINAGE MAINS
MAINTAINED²**

87 KM

**LENGTH OF
WATER MAINS
MAINTAINED²**

90 KM

**LENGTH OF ROADS
MAINTAINED²**

GOVERNANCE & SERVICE DELIVERY

**LOWEST
RESIDENTIAL TAX RATE**
compared to similar-sized
communities³

**LIMITED
KNOWLEDGE**
of the expected life cycle
of existing underground
infrastructure

**ABOVE
AVERAGE**

level of non-residential
assessment compared to
similar-sized
communities⁴

**AVERAGE
NON-RESIDENTIAL
TAX RATE**
compared to similar-sized
communities³

1 = Statistics Canada, Community Profile, 2016
2 = Alberta Municipal Affairs, Municipal Profiles, 2016

3 = Alberta Municipal Affairs, Municipal Profiles, 2017,
municipalities with populations between 4,500 and 6,500

4 = Alberta Municipal Affairs, Equalized Assessment, 2017
5 = Government of Alberta, Alberta Regional Dashboard, 2016



GOALS AND STRATEGIES

The Town of Redcliff's strategic plan consists of four goals and a series of strategies that indicate how each goal will be achieved. Together the goals and strategies provide a roadmap for how the Town's resources will be used in 2018-21 to propel the community closer to its long-term vision.



GOAL 1: INFRASTRUCTURE

The Town of Redcliff has a well-planned, cost efficient and sustainable infrastructure system that meets the current and future needs of the community.

A primary responsibility of the Town is to maintain an extensive multi-million dollar infrastructure system that serves the day-to-day needs of Redcliff's residents and businesses. This involves the maintenance and expansion of an integrated network of roads, sidewalks, water pipes, sewer pipes, storm drainage, public buildings, recreational facilities and many other supporting assets. Due to the costly nature of these assets and the limited financial resources available, the Town will take steps to establish a system for prioritizing the order of asset replacement within the constraints of the Town's forecasted financial resources.

STRATEGIES

- 1.1 Establish long-term financial solutions to fund the maintenance, replacement and expansion of the community's infrastructure
- 1.2 Develop an asset management program to guide decision-making priorities for the maintenance, replacement and expansion of infrastructure
- 1.3 Establish a life cycle plan for all facilities and infrastructure



GOAL 2: ECONOMIC DEVELOPMENT

The Town of Redcliff strives to offer an environment that advances local employment through economic development and diversification.

The Town recognizes that economic development is key to creating a more sustainable community. Over the next four years, the Town will focus on fostering a more attractive environment for business development and expansion where less residents will have to leave the community for employment. Moreover, these efforts will eventually lead to an increase in the breadth of retail and service-based businesses within the community.

STRATEGIES

- 2.1 Define the community's target markets and pursue development opportunities
- 2.2 Explore and promote economic development opportunities within the community and the region
- 2.3 Promote a positive culture towards business and development
- 2.4 Develop a plan for expansion of campground, recreation and tourism opportunities
- 2.5 Explore and consider options of fibre optic internet access for the community



GOAL 3: SOCIAL ENVIRONMENT

The Town of Redcliff fosters an inclusive community through services that support social, recreational and housing opportunities.

Today, Redcliff offers a friendly small community feeling and is home to healthy mix of recreational and social opportunities but there are opportunities for improvement. The environmental scan highlighted that a current lack of seniors housing presents barriers for people to age in the community and there is an opportunity to increase the quality of life for seniors by integrating new housing with other complementary types of development. Other opportunities include taking better advantage of Redcliff's unique river valley and potentially supporting community agencies in new ways.

STRATEGIES

- 3.1** Encourage development of seniors housing in priority locations
- 3.2** Develop and implement a river valley usage plan
- 3.3** Assess the needs of community organizations and where community needs may be underserved



GOAL 4: GOVERNANCE & SERVICE DELIVERY

The Town of Redcliff is effective in governance and public service delivery.

To achieve the vision, the Town of Redcliff must be an effective leader within the community. In 2018-21, the Town will take proactive steps to limit employee turnover and ensure its regulatory environment encourages targeted types of development. The Town will also take a policy-based approach to limit scope-creep so that Town services can continue to be delivered in a planned and cost-effective manner.

STRATEGIES

- 4.1** Conduct a review to identify how existing bylaws, policies and procedures may restrict the realization of the Town's vision
- 4.2** Develop a human resource plan to retain key staff positions
- 4.3** Develop a policy that defines the Town's scope and level of services within a sustainable level of financial resources

MEASURING PERFORMANCE

To monitor the progress of the 2018-21 Strategic Plan, the Town maintains an operational plan. The operational plan summarizes the necessary steps to implement each strategy, including the person responsible for each action, the targeted date of completion and any budget requirements. The status of the operational plan is regularly reviewed by administration and reported to Council for accountability purposes.

APPENDIX



Town of Redcliff

2018-21 Strategic Plan

Vision

Redcliff is a highly desirable and growing community that is known for its small-town feel and inclusive family-oriented environment, where residents and businesses thrive in a modern and diversified economy. The community's mix of development and scenic river valley offer a sought-after experience for both residents and visitors alike. In addition, the low cost of living and sustainable infrastructure assists people of all ages to enjoy Redcliff's abundant social, cultural and recreational opportunities.

Mission

The Town of Redcliff strives to create a safe and inclusive community for its residents and businesses by demonstrating leadership and cost-effective delivery of public services.

Goal 1 The Town of Redcliff has a well-planned, cost efficient and sustainable infrastructure system that meets the current and future needs of the community.

Strategies

- 1.1. Establish long-term financial solutions to fund the maintenance, replacement and expansion of the community's infrastructure
- 1.2. Develop an asset management program to guide decision-making priorities for the maintenance, replacement and expansion of infrastructure
- 1.3. Establish a life cycle plan for all facilities and infrastructure

Goal 2 The Town of Redcliff strives to offer an environment that advances local employment through economic development and diversification.

Strategies

- 2.1. Define the community's target markets and pursue development opportunities
- 2.2. Explore and promote economic development opportunities within the community and the region
- 2.3. Promote a positive culture towards business and development
- 2.4. Develop a plan for expansion of campground, recreation and tourism opportunities
- 2.5. Explore and consider options of fibre optic internet access for the community

Goal 3 The Town of Redcliff fosters an inclusive community through services that support social, recreational and housing opportunities.

Strategies

- 3.1. Encourage development of seniors housing in priority locations
- 3.2. Develop and implement a river valley usage plan
- 3.3. Assess the needs of community organizations and where community needs may be underserved

Goal 4 The Town of Redcliff is effective in governance and public service delivery.

Strategies

- 4.1. Conduct a review to identify how existing bylaws, policies and procedures may restrict the realization of the Town's vision
- 4.2. Develop a human resource plan to retain key staff positions
- 4.3. Develop a policy that defines the Town's scope and level of services within a sustainable level of financial resources



**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 24, 2018

PROPOSED BY: Municipal Manager

TOPIC: Policy 092, Recognition Policy

PROPOSAL: Review and Update Policy 092, Recognition Policy

BACKGROUND:

This policy is being reviewed as part of the review process outlined in Policy No. 115, Policy and Bylaw Development and Review Policy. This allows for Administration and Council to review policies on a routine basis to ensure policies are kept current with applicable legislation as well as to stay in alignment with the directives of Council.

The purpose of Policy 092, Recognition Policy is to set out policy which recognizes the significant contribution of Employees, Volunteer Fire-fighters, Elected Officials and Citizens at Large who have been appointed to Boards or Commissions of the Town of Redcliff.

After reviewing this policy, Administration recommends updating the recognition of Retirement and Completion of Services by presenting an appropriate "gift" at the time, with a prorated value based on years of service rather than a specified number of years served as well as increase the value of long service recognition awards in continued effort to show appreciation for long-term service.

POLICY/LEGISLATION:

N/A

STRATEGIC PRIORITIES:

Policy review is not currently ranked in the Municipality's Strategic Priorities. However, it is an important practice to ensure all policy is consistent and current to relevant federal and provincial government legislation and related regulations, as well as other related Town policy.

ATTACHMENTS:

Policy 092, Recognition Policy

OPTIONS:

1. Approve Policy 092, Recognition Policy, as presented.
2. Suggest changes to Policy 092, Recognition Policy and have administration draft an amended Policy 092, Recognition Policy for review at a future Council meeting.

RECOMMENDATION:

Option 1

SUGGESTED MOTION(S):

1. Councillor _____ moved Policy 092, Recognition Policy be approved as presented.
2. Councillor _____ moved that administration draft an amended Policy 092, Recognition Policy for review at a future Council meeting with suggested changes as follows:
 1. _____
 2. _____
 3. _____

SUBMITTED BY:

Department Head



Municipal Manager

Approved by Council: ~~May 9, 2011~~

RECOGNITION POLICY

BACKGROUND:

The Town of Redcliff recognizes the importance of skilled and competent workers, volunteers, and Elected Officials to the development of the municipality. The Town of Redcliff wishes to establish a policy that will allow the Town to recognize the significant contribution of Employees, Volunteer Firefighters, Elected Officials and Citizens at Large who have been appointed to Boards or Commissions of the Town of Redcliff.

POLICY:

A. Employees

Council would like employees to be rewarded for several accomplishments. The following are achievements for which employees will be recognized:

- i. Long Service
- ii. Retirement
- iii. Outstanding Performance by an individual or group/team
- iv. Innovation in Cost Savings & Better Practice Contributions
- v. Educational Achievement
- vi. Health and Safety Accident Reduction
- vii. Exemplary Attendance

The following are guidelines for which Employee Recognition will be administered:

- i. Long Service Recognition

Upon completion of five (5) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$ ~~100.00~~ 50.00.

Upon completion of ten (10) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$ ~~200.00~~ 100.00.

Upon completion of fifteen (15) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$ ~~300.00~~ 150.00.

Upon completion of twenty (20) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective

length of service. It is anticipated the value of the gift will be approximately ~~\$400.00~~ \$200.00.

Upon completion of twenty five (25) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately ~~\$500.00~~ \$250.00.

Upon completion of thirty (30) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately ~~\$600.00~~ \$300.00.

Any continuous service in addition to 30 years will be reviewed by the Municipal Manager and a recommendation may be made to Council for consideration outside the scope of this policy.

Rewards for Long Service Recognition shall be presented annually to employees, by the Mayor, at the Staff Appreciation Event.

ii. Recognition on Retirement

Upon retirement with a minimum completion of ~~twenty (20)~~ Five (5) years of continuous service, with the Town of Redcliff, Employees will be presented ~~with an engraved watch.~~ with a gift. It is anticipated the value of the gift will be approximately \$20.00 for every year of service.

~~Any Employee who retires short of twenty (20) years service will be presented with a framed certificate of appreciation recognizing their years of service.~~

Rewards for Retirement shall be made to the employee on the last day of their employment, by the Municipal Manager, in front of the employee's peers.

- iii. All other recognition will be administered in accordance with Procedure No. 120 (2010) – Employee Recognition Awards
- iv. The Department Manager will be responsible to determine gifts awarded to employees, within the guidelines set out in Procedure No. 120 (2010) and this Policy.
- v. The Department Manager will be responsible to recognize employees for achievements.
- vi. All staff will be recognized on the basis of their contribution to the Town of Redcliff.
- vii. The presentation of any award shall be made to the employee or team in front of their peers.
- viii. Funding available for awards other than those listed in (i.) or (ii.) is per the annual budget (review account 2.12.02.140 Staff Relations).

B. Elected Officials and Citizens at Large Appointed to Boards or Commissions

All recognition for this section will be administered as per this policy.

i. Long Service Recognition

Upon completion of ten (10) years of service with the Town of Redcliff, Elected Officials and Citizens at Large Appointed to Boards or Commissions will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~100.00~~~~50.00~~.

Upon completion of twenty (20) years of service with the Town of Redcliff, Elected Officials and Citizens at Large Appointed to Boards or Commissions will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~200.00~~~~100.00~~.

ii. Recognition on Completion of Services

Upon their completion of their service as a member of Council, a Board or a Commission and with a minimum completion of ten (10) years of service, all Elected Officials and Citizens at Large Appointed to Boards or Commissions will be presented with a ~~an engraved watch.~~ gift. It is anticipated the value of the gift will be approximately \$400.00.

C. Volunteer Fire-fighters

All recognition for this section will be administered as per this policy.

i. Long Service Recognition

Upon completion of five (5) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~100.00~~~~50.00~~.

Upon completion of ten (10) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~200.00~~~~100.00~~.

Upon completion of fifteen (15) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~300.00~~~~150.00~~.

Upon completion of twenty (20) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~400.00~~~~200.00~~.

Upon completion of twenty five (25) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately

~~\$500.00~~250.00.

Upon completion of thirty (30) years of continuous service with the Town of Redcliff, Employees will be presented with a gift commensurate with the respective length of service. It is anticipated the value of the gift will be approximately \$~~600.00~~300.00.

Any continuous service in addition to 30 years will be reviewed by the Municipal Manager and a recommendation may be made to Council for consideration outside the scope of this policy.

Rewards for Long Service Recognition shall be presented annually to employees, by the Mayor, at the Staff Appreciation Event.

ii. Recognition on Retirement

Upon retirement with a minimum completion of ~~twenty (20) years~~ a minimum of 5 of continuous service, with the Town of Redcliff, Employees will be presented with an ~~engraved watch.~~ gift. It is anticipated the value of the gift will be approximately \$20.00 for every year of service.

~~Any Employee who retires short of twenty (20) years service will be presented with a framed certificate of appreciation recognizing their years of service.~~

D. Selection and Presentation of Awards

- i. Employee recognition awards will be presented as per Procedure 120 (2010).
- ii. All other gifts will be presented annually at the Town of Redcliff Appreciation Night or other suitable occasion.

TOWN OF REDCLIFF
REQUEST FOR DECISION

DATE: September 24th, 2018

PROPOSED BY: Planning & Engineering Department

TOPIC: Policy 102 – Perimeter Fence Policy

PROPOSAL: That Council approve Policy 102 – Perimeter Fence Policy

BACKGROUND:

Bylaw 1869/2018 – Parks, Recreation and Open Areas contains a requirement for perimeter fences to be between private property and Parks, Recreation and Open Areas to reduce the encroachment of private property onto public property where the boundary is not highly visible.

Bylaw 1869/2018 – Parks, Recreation and Open Areas does not contain any requirements or standards for perimeter fences. The intent of Policy 102 – Perimeter Fence Policy is to provide minimum standards, guidelines for temporary removal, and a procedure and standards for allowing the installation of gates in perimeter fences.

The intent of the Policy 102 – Perimeter Fence Policy is to allow members of the public with maximum flexibility and choice in the fencing of their property while maintaining the protection of public property from encroachments.

Items of note:

- The requirement for private property owners to maintain the perimeter fence has been removed from the policy because it is contained in Bylaw 1869/2018 – Parks, Recreation and Open Areas.
- Parks Recreation and Open Areas specifically excludes road right-of-way that is used for roads. Therefore perimeter fences are not required adjacent to roads or lanes.
- The minimum standard of fence specified is based on the minimum standard required to be effective as local practices have trained the construction and landscape industries to ignore chain and bollard perimeter fencing and simply remove it if it is in their way, which has led to significant encroachments into public property and especially in the case of natural areas significant damage to public property.
- This policy was written specifically to not regulate the uniformity of fencing adjacent to Parks, Recreation and Open Areas as doing so creates unnecessary:
 - conflicts between the Town and private property owners, and
 - costs for the Town to monitor and administer.
- The existing Policy 102 – Perimeter Fence Policy was written from a point of view of protecting developer installed fences and the Town enforcing architectural guidelines forever. The Policy has included clauses to cover the areas where the Town has agreed to protect and enforce architectural guidelines for developer installed fences.

POLICY/LEGISLATION:

Minimizing private encroachments onto public property is an ongoing endeavour and any tools that the municipality can put in place to provide better direction to the public and reducing the number and magnitude of encroachments is in the municipality's best interest.

STRATEGIC PRIORITIES:

This policy is being updated as part of the normal review cycle and to bring it into compliance with Bylaw 1869/2018 – Parks, Recreation and Open Areas.

ATTACHMENTS:

Existing Policy 102 – Perimeter Fence Policy

Proposed Policy 102 – Perimeter Fence Policy

OPTIONS:

1. Council approve proposed Policy 102 – Perimeter Fence Policy.
2. Council instructs Administration to make changes to the proposed Policy 102 – Perimeter Fence Policy
3. Council not approve proposed Policy 102 – Perimeter Fence Policy.

RECOMMENDATION:

Option 1

SUGGESTED MOTION(S):

1. Councillor _____ moved Policy 102 – Perimeter Fence Policy be approved.
2. Councillor _____ moved Policy 102 – Perimeter Fence Policy have the following changes made:

- _____
- _____
- _____
- _____
- _____

SUBMITTED BY:



Department Head



Municipal Manager

Approved by Council: August 18, 2014

PERIMETER FENCE ADJACENT TO PARKS & PUBLIC RESERVES

BACKGROUND

The Town of Redcliff has installed chain link fence along parks, public reserves and golf course property in or adjacent to the Kipling, Riverview, Eastside, and Westside Subdivisions. Although the fence runs adjacent to the residential properties, the Town of Redcliff retains ownership of this fence. However, in accordance with the restrictive covenant registered to the land title of the residential properties, maintenance is the responsibility of the immediately adjacent property owner.

Although the chain link fence is the property of the Town of Redcliff, certain modifications will be permitted. Any and all modifications shall be in accordance with this policy.

POLICY

There shall be no material inserted into, fastened, hung, or connected to the perimeter fence, such as privacy slats or similar types of screening. Vines, hedges or similar vegetation growing in or through the fence shall be permitted and side yard chain link fences may be connected to the perimeter fence. In addition, the following modifications are permitted:

Golf Course Access

Properties backing onto the Riverview Golf Club will be permitted to modify their access gate to allow golf cart access onto the golf course. Modifications shall be to the following standards:

- The gate shall not exceed a width of sixty six (66) inches
- Modifications shall only be made by the Town or the Town's approved contractor.
- The cost of any modification shall be borne by the property owner.
- Written permission from Riverview Golf Club to access golf course with golf cart is required prior to any work being completed.
- Payment of the quoted work is due in advance of any work being completed.

Installing Curb Along Base of Fence

Property owners shall be permitted to install curbing along the base of a perimeter fence, providing it meets the following standards:

- The curb must have a width of eight (8) inches,
- The curb must have a minimum depth of five and one half (5 ½) inches and a maximum depth of twelve (12) inches.
- The curb must be properly finished and be below the chain link as the chain link must be able to move freely.
- Differences in elevation at any given point within a one hundred and twenty (120) inch length of curb shall not exceed one and one quarter (1¼) inch, and the maximum variation shall not be greater than one and one quarter (1¼) inch.
- Deviations in horizontal alignment at any given point within a one hundred and twenty (120) inch length of curb shall not exceed one and one quarter (1¼) inch, and the fluctuations in the horizontal alignment shall not be greater than one (and one quarter 1¼) inch.

Any unauthorized modifications to the Town's chain link fence shall be required to be removed by the property owner. A written Order in accordance with Section 545 of the Municipal Government Act will be sent to the offending property owner for any remedy deemed required. Failure to comply with the Order will result in the Town initiating necessary action to have any modifications removed and the fence restored to its original state. The costs associated with this shall be charged to the property owner in accordance with Section 552 or 553 of the Municipal Government Act.

Any modifications that have been made to the Town's chain link fence prior to the approval of this Policy will be required to meet the Town's standards. Any modifications that do not meet the Town's standards will be directed to be removed and/or reconstructed to the proper standards. A written Order in accordance with Section 545 of the Municipal Government Act will be sent to the offending property owner. Failure to comply with the Order will result the Town initiating necessary action to have any modifications removed and the fence restored to its original state. The costs associated with this shall be charged to the property owner in accordance with Section 552 or 553 of the Municipal Government Act.

Application for Modifications to Town Chain Link Fence

Any person wishing to modify the Town's chain link fence is required to submit an application form. Application for modification to the Town chain link fence may be made to the office of the Public Services Director for the Town on the attached prescribed form (Schedule A).

Temporary Removal / Reinstallation of Town Fencing to access Rear Yard

Property owners shall be permitted to temporarily remove the Town's chain link fence located at the rear of their property to obtain access to their rear yard for the purpose of landscaping, construction or delivery of such items such as a hot tub. Reinstallation of Town fencing shall be completed by a Town approved contractor with the property owners being responsible for costs. A refundable damage deposit in the amount of \$500.00 is required at the time of application. The Public Services Department shall conduct an inspection of the fence within 14 days of completion of the reinstallation of the fence, and if deemed satisfactory the deposit shall be refunded.

Temporary removal and subsequent reinstallation of the fence shall not exceed a 60 day timeframe unless otherwise authorized by the Public Services Director.

Property owners will be required to obtain a "Permit to Cross Public Reserve – Vehicular" in accordance with the Town's "Park, Recreational or Public Areas Bylaw".

Application for Removal and Reinstallation of Town Fence

Any person wishing to obtain access to their rear yard by removing and reinstalling the Town's fence is required to submit an application form. Application for access to the Town chain link fence may be made to the office of the Public Services Director for the Town on the attached prescribed form (Schedule B).

APPLICATION FOR MODIFICATION TO TOWN PERIMETER FENCE

Application Date: _____

Applicant: _____

Legal Description: _____ Civic: _____

I hereby apply to the Town of Redcliff Public Services Department for permission to modify the Town's chain link fence adjacent to the above mentioned property.

Type of Modification: (check one or more)

☐ curb along base of fence

I acknowledge that the Public Services Department shall inspect the modification to ensure it meets the Town standards. If the curb fails to meet the Town standards, I acknowledge that I will be required to remove and replace the curb at my cost. I further acknowledge that if I do not remove the curb within the specified time stipulated on the Notice for Removal from the Town, the Town will remove the curb and I will be responsible for the costs of removal.

☐ access gate (golf course property only)

I acknowledge that the Public Services Department or the Town's approved contractor shall perform the necessary work to modify the access gate at my cost. Prior to performing any work, the Public Services Department shall provide me with a quote to complete the work, and will not proceed until payment is received. In addition, I acknowledge that I have obtained written permission from Riverview Golf Club to access the golf course with a golf cart, evidence of which is attached.

I further acknowledge that I assume responsibility of the modifications and will maintain the modifications in a state of good repair at all times.

Witness_____
Applicant(s) Signature**Public Services portion (Do not complete)**

Payment received: _____
Amount Date

Verification that upon inspection, the modifications meet the standards of the Town of Redcliff.

Approved: _____ Refused: _____
Public Services Director Public Services Director

APPLICATION FOR REMOVAL / REINSTALLATION OF TOWN FENCING (ACCESS TO REAR YARD)

Application Date: _____

Applicant: _____

Legal Description: _____ Civic: _____

Dates Access Required: From: _____

To: _____

Name of Contractor: _____

(Contractor must be approved by Town of Redcliff Public Services Department)

I hereby apply to the Town of Redcliff Public Services Department for permission to remove and reinstall the Town's Perimeter Fence for the purpose of accessing my backyard for the time period specified above.

I acknowledge that the reinstallation of the Town's fence must be completed by a Town approved contractor and I will be responsible for all related costs. If the reinstallation is not acceptable to the Town of Redcliff the Town of Redcliff may undertake to have the fence repaired as necessary and I will be responsible for payment of those costs.

I further acknowledge that I must obtain permission in accordance with the Town's Park, Recreational or Public Areas Bylaw.

Witness _____

Applicant's Signature _____

Administration portion (Do not complete) <input type="checkbox"/> Damage Deposit received: Amount \$500.00 Date _____ Signed: _____ Finance Department	Administration portion (Do not complete) <input type="checkbox"/> Damage Deposit refunded Amount \$500.00 Date _____ Authorized by: _____ Finance Department
<p style="text-align: center;">Public Services portion (Do not complete)</p> <p>Verification that upon inspection (within 14 days of the completion of the reinstallation of the fence), the reinstallation meets the standards of the Town of Redcliff.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Approved: _____ Public Services Director </div> <div style="width: 45%;"> Refused: _____ Public Services Director </div> </div>	

Approved by Council Month Day, 20XX

PERIMETER FENCE ADJACENT TO PARKS & PUBLIC RESERVES**BACKGROUND**

The Council of the Town of Redcliff has passed, Park, Recreational or Public Areas Bylaw which requires perimeter fences to be installed on the boundary of Park, Recreational or Public Areas from private property and allows for the creation of further regulations with respect to these fences.

Bylaw lays out that the immediately adjacent private property owner is responsible for the ongoing maintenance of a perimeter fence.

The purpose of this Policy is to provide for the further regulation of perimeter fences by establishing minimum requirements and standards recognizing different circumstances benefit from having different requirements and standards.

As the Town has:

- allowed developers to installed perimeter fences in some locations in the Town,
- allowed developers to affix restrictive covenants on the titles of the private properties with respect to these fences, and
- permitted the Town to be made a responsible party for the enforcement of the restrictive covenants registered on title.

The policy must also address the specific requirements of these unique areas.

DEFINITIONS

PARK, RECREATIONAL OR PUBLIC AREA means any land owned by or under the control and management of the Town or a School Authority within the corporate limits of the Town. This definition includes undeveloped roadways, land developed or used by the Town as a public park, sports field, campground, cemetery, pathway, trail, walkway, playground or recreational area, a temporary or permanent highway buffer strip, and land designated by resolution of Council or Bylaw as a Park, Recreational, or Public Area but does not include developed roadways or lanes.

ROADWAY means land intended for the passage or parking of Motor Vehicles as demonstrated by the surface treatment of the land (paving or compacted gravel) and not being prohibited by signage or barricades that are part of a Highway

POLICY**GENERAL**

- (1) General policies laid out in this policy may be superseded by specific policies governing specific areas or circumstances laid out in this policy or by caveats and restrictive covenants registered on title. Caveats and restrictive covenants registered on title prior to the adoption of this policy govern over this policy where there is a conflict in standards. Caveats and restrictive covenants registered on title after the adoption of this policy govern

- over this policy only when they require a higher standard for or specific restrictions on the perimeter fence but must still meet the minimums laid out in this policy.
- (2) No replacement of, modifications to or changes to, a Perimeter Fence shall be made to the fence unless authorized by valid permit issued by the Director responsible for Park, Recreational or Public Areas or their designate. In considering the proposed replacement of, modifications or changes to the fence the Director or their designate shall review:
 - (a) the context in which the fence is located;
 - (b) If the proposed changes will impact the public's enjoyment and or use of the Park, Recreational or Public Area;
 - (c) If the proposed changes will increase the maintenance costs of the Park, Recreational or Public Area for the Town; and
 - (d) If the proposed changes meet or exceed the minimum standards.
 - (3) Nothing in Section (1) shall be construed as requiring the Director responsible for Park, Recreational or Public Areas or their designate to approve changes to an existing fence.
 - (4) All perimeter fences must meet the following minimum standard:
 - (a) The fence must be at least 3 feet high; and
 - (b) The fence must be at least galvanized chain link. Fencing types that are considered an upgrade to chain link fences are:
 - (i) Painted or stained wood,
 - (ii) Plastic coated chain link,
 - (iii) Vinyl, polyethylene and other plastic types,
 - (iv) Painted steel, aluminum, iron and other metal types,
 - (v) Decorative concrete, painted concrete, concrete block, stone, brick and other types of masonry fences, and
 - (vi) A combination of the above fence types such as brick and cast aluminum.
 - (5) Vines, hedges or similar vegetation growing in or through the fence shall be allowed without a permit issued by the Director responsible for Park, Recreational or Public Areas or their designate.
 - (6) Side yard fences may be connected to the Perimeter Fence without a permit issued by the Director responsible for Park, Recreational or Public Areas or their designate, provided that there are no modifications to the Perimeter Fence.
 - (7) A perimeter fence may be temporarily removed if authorized by valid permit issued by the Director responsible for Park, Recreational or Public Areas or their designate for the purpose of obtaining access to the private property for the purpose of landscaping, construction or delivery of such items such as a hot tub etc. The following conditions and securities will be placed on the permit:
 - (a) Reinstallation of Town fencing shall be completed by a Town approved contractor with the property owners being responsible for costs.

- (b) A refundable damage deposit at the time of application as laid out in the Fees, Rates & Charges bylaw which will be based on the linear metres of fence to be temporarily removed.
 - (c) The Town Department responsible for parks and public areas shall conduct an inspection of the fence within 14 days of completion of the reinstallation of the fence, and if deemed satisfactory the deposit shall be refunded.
 - (d) Any other conditions the Director responsible for Park, Recreational or Public Areas or their designate feel may be warranted
 - (e) Property owners will also be required to obtain a "Permit to Cross Park, Recreational or Public Areas – Vehicular" if there is a requirement to cross Park, Recreational or Public Areas with construction equipment.
- (8) The following fence modifications are allowed via permit:
- (a) Land owners may install a pedestrian access gate. The pedestrian access gate shall:
 - (i) Not exceed a gate width of 1.5 metres (60 inches);
 - (ii) Shall not be less than 1.2 metres (48 inches) high;
 - (iii) only be made by contractor approved by the Town;
 - (iv) all costs are borne by the property owner;
 - (b) Curbing along the base of a Perimeter Fence, providing it meets the following standards:
 - (i) The curb must have a minimum width of eight inches;
 - (ii) The curb must have a minimum depth (from top of curb to bottom of curb) of 140 mm (5 ½ inches) and a maximum exposure (from top of curb to finished soil level) of 600 mm (24 inches). Curbs higher than 600 mm (24 inches) require a development permit and a building permit.
 - (iii) The curb must have drain holes installed to prevent the backup of runoff.
 - (iv) The curb must have at least one (1) 10M bar or rebar installed in curb for the entire length. Overlap of rebar shall be at least 300mm (12 inches).
 - (v) The curb must be finished:
 - with filleted (rounded) top corners of not less than 10 mm (3/8 inch) radius,
 - smooth top and sides with voids (holes) in the concrete less than 12mm (1/2 inch) diameter, and
 - the fence (excluding posts) must not be imbedded in the curb;

KIPLING, RIVERVIEW (NOT ADJACENT TO THE GOLF COURSE), EASTSIDE PHASE 1, AND WESTSIDE SUBDIVISIONS

The Town of Redcliff installed chain link fence along Park, Recreational or Public Areas adjacent to the Kipling, Riverview, Eastside Phase 1, and Westside Subdivisions. Although the fence runs adjacent to the residential properties, the Town of Redcliff retains ownership of this fence. In accordance with the Park, Recreational or Public Areas Bylaw and the restrictive covenant registered to the land title of the residential properties, maintenance is the responsibility of the immediately adjacent property owner.

(9) The perimeter fences in these areas must meet the following standard:

- (a) be at least 4 feet high and remain at the height that was installed;
- (b) be a galvanized chain link;
- (c) not have boards, privacy slates of any kind place in or against the fence,
- (d) not have fabric screens or sediment screens placed on or against the fence,
- (e) not have dirt placed above the fence that prohibits the free movement of the fence,

(10) The following fence modifications are allowed via permit:

- (a) Land owners may install a pedestrian access gate. The pedestrian access gate shall:
 - (i) not exceed a gate width of 1.5 metres (60 inches);
 - (ii) gate to be constructed of galvanized chain link the same height as the fence;
 - (iii) only be made by contractor approved by the Town;
 - (iv) all costs are borne by the property owner;
- (b) Curbing along the base of a Perimeter Fence, providing it meets the following standards:
 - (i) the curb must have a width of 200 mm (eight inches);
 - (ii) the curb must have a minimum depth (from top of curb to bottom of curb) of 140 mm (5 ½ inches) and a maximum exposure (from top of curb to finished soil level) of 300 mm (12 inches);
 - (iii) the curb must be finished:
 - with filleted (rounded) top corners of not less than 10 mm (3/8 inch) radius,
 - smooth top and sides with voids (holes) in the concrete less than 12mm (1/2 inch) diameter, and
 - the curb must be below the chain link to allow the chain link fence to move freely;
 - (iv) Differences in elevation at any given point within a 3 metre (120 inch) length of curb shall not exceed 32 mm (1¼ inch), and the maximum variation shall not be greater than 32 mm (1¼ inch); and

- (v) Deviations in horizontal alignment at any given point within a 3 metre (120 inch) length of curb shall not exceed 32 mm (1¼ inch), and the fluctuations in the horizontal alignment shall not be greater than 32 mm (1¼ inch).
- (11) The Town requires proof that the contractor approved by the Town to perform the work has received payment for the work in advance of the permit being issued and the work commencing.

ADJACENT TO THE GOLF COURSE

The Town of Redcliff installed chain link fence along the Riverview Golf Course property. Although the fence runs adjacent to the residential properties, the Town of Redcliff retains ownership of this fence. In accordance with the Park, Recreational or Public Areas Bylaw and the restrictive covenant registered to the land title of the residential properties, maintenance is the responsibility of the immediately adjacent property owner.

- (12) The perimeter fences in these areas must meet the following standard:
 - (a) be at 5 feet high and remain at the height that was installed;
 - (b) be a galvanized chain link;
 - (c) not have boards, privacy slates of any kind place in or against the fence,
 - (d) not have fabric screens or sediment screens placed on or against the fence,
 - (e) not have dirt placed above the fence that prohibits the free movement of the fence,
- (13) The following fence modifications are allowed via permit:
 - (a) Land owners may install an access gate to allow golf cart access onto the golf course. Modifications shall:
 - (i) Not exceed a gate width of 1.8 metres (66 inches);
 - (ii) Gate to be constructed of galvanized chain link the same height as the fence;
 - (iii) only be made by contractor approved by the Town;
 - (iv) all costs are borne by the property owner;
 - (v) require written permission from Riverview Golf Club to access the golf course with a golf cart; and
 - (b) Curbing along the base of a Perimeter Fence, providing it meets the following standards:
 - (i) The curb must have a width of 200 mm (8 inches);
 - (ii) The curb must have a minimum depth (from top of curb to bottom of curb) of 140 mm (5 ½ inches) and a maximum exposure (from top of curb to finished soil level) of 300 mm (12) inches;

- (iii) The curb must be finished:
 - with filleted (rounded) top corners of not less than 10 mm (3/8 inch) radius,
 - smooth top and sides with voids (holes) in the concrete less than 12mm (1/2 inch) diameter, and
 - the curb must be below the chain link to allow the chain link fence to move freely;
 - (iv) Differences in elevation at any given point within a 3 metre (120 inch) length of curb shall not exceed 32 mm (1¼ inch), and the maximum variation shall not be greater than 32 mm (1¼ inch); and
 - (v) Deviations in horizontal alignment at any given point within a 3 metre (120 inch) length of curb shall not exceed 32 mm (1¼ inch), and the fluctuations in the horizontal alignment shall not be greater than 32 mm (1¼ inch).
- (14) The Town requires proof that the contractor approved by the Town to perform the work has received payment for the work in advance of the permit being issued and the work commencing.

ADJACENT TO SCHOOLS

- (15) Land owners may install a pedestrian access gate to a school site (land designated MRS) with permission of the School Board responsible for the site and a Permit issued by the Town. The Town will not issue a Permit unless the land owner provides a copy of the written permission from the School Board responsible for the site and the Town may add any conditions that the School Board responsible for the site lists to the Town's Permit.

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 24, 2018

PROPOSED BY: Finance and Administration

TOPIC: Review Policy 120, Social Media Policy

PROPOSAL: Review and Update Policy 120, Social Media Policy

BACKGROUND:

This policy is being reviewed as part of the review process outlined in Policy No. 115, Policy and Bylaw Development and Review Policy. This allows for Administration and Council to review policies on a routine basis to ensure policies are kept current with applicable legislation as well as to stay in alignment with the directives of Council.

Policy 120 is to establish guidelines for the use of social media by employees, and/or elected officials posting on behalf of the Town of Redcliff. It is used to further the strategic direction and goals of the organization and promote the Town as a favourable place to live, work, and play.

After reviewing this policy, the Administration recommends specifying more clearly about the Social Media Moderator(s), and their responsibilities.

The main changes are:

- a) Adding "Designates in writing Town employees who are authorized to be moderators" to be one of the responsibilities of the Municipal Manager;
- b) Adding "Create/edit/delete posts, send/delete messages or comments, create/delete social media accounts" to be one of the responsibilities of the Moderator(s);
- c) Specify more clearly for employees and elected officials, who should they submit the requests to if they are interested in engaging in social media on behalf of the Town.
 - Employees must make a request to a moderator and outline the need and purpose of the request. The moderator will evaluate all requests for usage, and complete the social media engagement.
 - Elected officials must make their requests to the Municipal Manager.

POLICY/LEGISLATION:

Policy 120, Social Media Policy

STRATEGIC PRIORITIES:

Policy review is not currently ranked in the Municipality's Strategic Priorities. However, it is an important practice to ensure all policy is consistent and current to relevant federal and provincial government legislation and related regulations, as well as other related Town policy.

ATTACHMENTS

Policy 120, Social Media Policy

OPTIONS:

1. Approve Policy 120, Social Media Policy as amended.
2. Suggest changes to Policy 120, Social Media Policy and have administration draft an amended Policy 120, Social Media Policy for review at a future Council meeting.

RECOMMENDATION:

Option #1

SUGGESTED MOTION(S):

1. Councillor _____ moved Policy 120, Social Media Policy be approved as presented.
2. Councillor _____ moved that administration draft an amended Policy 120, Social Media Policy for review at a future Council meeting with suggested changes as follows:
 - 1.
 - 2.
 - 3.

SUBMITTED BY:



Department Head



Municipal Manager

Approved by Council : ~~September 9, 2013~~**SOCIAL MEDIA POLICY****BACKGROUND**Social media is a tool to engage and communicate with the public.~~Social media has become an engagingis an additional tool to provide additionalengage and communication communicate with for the purpose of sharing information and encouraging dialogue with citizens of the Town.~~ The Town of Redcliff supports the use of social media to:

- ~~—~~ further the strategic direction and goals of the organization.
- ~~E~~ engage the public.
- ~~S~~ supplement regulatory advertising requirements.
- ~~R~~ receive feedback from the public.
- ~~I~~ inform and educate the public.
- ~~T~~ to receive requests for services.
- ~~T~~ to receive reports on issues.
- ~~—~~ Social media provides further tools and channels that can complement traditional communications and marketing methods and mediums that promotes the Town of Redcliff has a favourable place to live, work, and play.

~~The purpose of t~~The purpose of this policy is to establish guidelines for the ~~Town of Redcliff's~~ usage and work with of social media ~~for its~~by employees and/or, elected officials posting, and ~~third parties working~~ on behalf of the Town of Redcliff.**POLICY**

1. “Social Media” refers to online e-technologies used to share opinions and information, promote discussion, and build relationships. There are a variety of different platforms and formats within social media including, but not limited to, the following:

1. Micro-blogging ~~÷~~ (Twitter, etc)
2. Blogging ~~÷~~ (Blogger, Wordpress, TypePad, and other non-branded platforms, etc)
3. Video sharing ~~÷~~ (Youtube, etc)
4. Photo sharing ~~÷~~ (Flickr, Picasa, Photobucket, Instagram, etc)
5. Document sharing ~~÷~~ (Google docs, Slideshare, etc)
6. Bookmarking ~~÷~~ (dig, reddit, etc)
7. Social Networking ~~÷~~ (Linkedin, Facebook, MySpace, Twitter, etc)
8. Forums
9. Wikipedia
10. Geo-mapping ~~÷~~ (Googlemaps, Bingmaps, etc)

10. —

“Posting” refers to the communication sent out on behalf of the Town of Redcliff through social media. Posting communication types may include words, images, video, audio, etc.

~~11.~~

~~2.~~ **Responsibilities****RESPONSIBILITIES**

a) Municipal Manager

- ~~i.~~ Approves procedure
- ~~ii.~~ Administers the policy and procedures; and
- ~~ii.~~ Advises departments in the correct application of the policy and proceduresss;
and
- ~~iii.~~ Designates (in writing) Town employees who are authorized to be moderators pursuant to this policy.
- ~~iii.~~ .

b) Department Managers/Directors

- i. Ensures that all department employees are familiar with the policy;
- ii. Administers the policy within the department; and
- iii. Recommends changes in policy and procedures.

c) Moderator(s)

- ~~i.~~ Create/edit/delete posts, send/delete messages or comments, create/delete social media accounts; and
- ~~ii.~~ Ensures the use of social media complies with all approved policies and procedures for the Town.

d) Employee(s)

- ~~i.~~ Ensures that their use of social media complies with all approved policies and procedures for the Town.and is only used for the purposes of fulfilling job duties.

PROCEDURES**POLICY**~~Policy~~

~~3.~~ Social media ~~channels~~ will be populated and monitored by the ~~forum~~ approved moderator ~~s.~~ within the Finance and Administration Department.

~~4.~~ Social media channels shall be used for business communication and for the purpose of fulfilling job duties in accordance with Town goals and objectives and not for personal use.

~~1.~~
~~5.~~

~~6.2.~~ Social media channels will be monitored and populated on a daily basis during regular business hours. Messages posted to social media will be simple, engaging, and link the reader to further information posted on the Town's website when possible.

~~7.3.~~ The Town of Redcliff cannot commit to replying to every comment; however, the

moderator(s) will make every effort to respond to questions and comments as quickly as possible during regular business hours.

~~8.4.~~ The moderator(s) shall not comment on opinions offered by residents but reserves the right to respond to comments that are not factual.

~~9.5.~~ The moderator shall not comment on decisions of Council, but rather direct social media users to use official correspondence methods.

~~10.6.~~ Each social media ~~platform~~ channel in use by the Town will include an introductory statement confirming it is maintained by the Town and have appropriate contact information.

~~11.7.~~ Each social media ~~platform~~ channel in use by the Town will include an introductory statement confirming the purpose and scope of the site as well as posting guidelines (where appropriate).

~~12.8.~~ The Town of Redcliff website shall remain the primary web presence. Social media sites will be used in conjunction with the Town's website.

~~13.9.~~ Posts and comments to and from the Town ~~in connection with the transaction of public business,~~ on social media is subject to the Freedom of Information and Protection of Privacy Act and may be disclosed to third parties.

~~10.~~ Employees interested in ~~engaging posting in to~~ social media on behalf of the Town must make a request to ~~their Department Manager/Director~~ a moderator and outline the need and purpose of the request. The ~~Manager/Director~~ moderator will evaluate all requests for usage, and complete the social media engagement. ~~verify staff being authorized to use social media tools, and confirm completion of online training for social media use.~~

~~14.11.~~ Elected officials interested in engaging in social media on behalf of the Town must make their request to the Municipal Manager.

~~15.12.~~ The ~~moderator(s)~~ IT Systems Analyst will be responsible for maintaining a list of all social ~~networking media platform~~ application domain names in use, the names of all employee administrators of these accounts, as well as the associated user identifications and passwords currently active.

POSTING GUIDELINES

~~16.13.~~ Direct messages and posts will not be considered official correspondence.

~~17.14.~~ Direct messages and posts will not be considered official records of public opinion and will not be recorded as such. In some cases, comments may be forwarded to administration for information purposes.

~~18.~~15. The Town will not tolerate comments that are offensive to an individual or organization, rude in tone, or abusive as determined by the Town.

~~19.~~ Content, comments or links containing any of the following will not be allowed on the Town's social media channels and the Town reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.

- 16.
- Comments not topically related to the particular social medium article being commented on or to the social media site in general.
 - Slanderous or defamatory remarks, obscene language or sexual content.
 - Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation.
 - Promotion of commercial services or products other than significant sponsors, affiliations or business partnerships.
 - Comments in support of or opposition to political campaigns.
 - Promotion of illegal activities.
 - Information that may compromise the safety or security of the public or public systems.
 - Content that violates a legal ownership interest of any other party.
 - Content written in a language other than the official languages of Canada.
 - Any other content that the moderator deems unsuitable for the social media site and does not add to the normal flow of information and debate.

~~20.~~17. Should a comment or post contravene any of the guidelines listed above, the moderator shall make a copy of the comment for the record and delete the post. The offending user may be blocked from the Town's social media channels at the discretion of the moderator in consultation with a the Department Manager/Director of Finance and Administration and/or the Municipal Manager.

~~21.~~18. All content ~~created by employees~~posted by moderators using Town social media ~~channels~~ must be professional, accurate, and consistent with the Town's policies and meet the Town's visual standards.

19. Employees Moderators representing the Town via social media are expected to conduct themselves at all times as a representative of the Town and in accordance with all Town policies.

~~22.~~20. ~~Employees Moderators~~Employees found in violation of this policy may be subject to disciplinary action within appropriate legislated guidelines and collective bargaining agreements.



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Leduc-Beaumont*

RECEIVED
SEP 10 2018
TOWN OF REDCLIFF

AR94815

August 28, 2018

His Worship Dwight Kilpatrick
Mayor, Town of Redcliff
PO Box 40
Redcliff AB T0J 2P0

Dear Mayor Kilpatrick,

The Alberta government is committed to making the lives of Albertans better. By providing significant funding to our municipal partners through the Municipal Sustainability Initiative, we continue to assist municipalities in building strong, safe, and resilient communities while respecting local priorities.

I am pleased to inform you that the operating spending plan submitted by your municipality has been accepted. You may proceed to apply your municipality's 2018 operating allocation and any estimated 2017 carry-forward to the priorities identified in your plan.

As partners in supporting Alberta's communities, I look forward to working together to move your local priorities forward.

Sincerely,

Hon. Shaye Anderson
Minister of Municipal Affairs

cc: Arlos Crofts, Municipal Manager, Town of Redcliff

August 29, 2018

Mayor Kilpatrick and Council
Town of Redcliff
PO Box 40
Redcliff, Alberta T0J 2P0

RECEIVED
SEP 04 2018
CLERK OF COUNCIL



Dear Mayor Kilpatrick and all members of Council,

On behalf of the Alberta Recreation & Parks Association (ARPA) we wish to invite you and your colleagues to attend the 2nd Annual Greener Facilities Conference and Expo presented by the Alberta Recreation and Parks Association on November 14 -15, 2018 at the Edmonton Inn and Conference Centre.

In most municipalities the cost of operating facilities is a significant cost and has an impact on fees and taxes. The mandate of this event is to provide councils and their administrators with the following:

- ✓ Examples from speakers addressing specific opportunities and challenges associated with energy efficiency and a reduced ecological footprint;
- ✓ Innovative new technology products and services demonstrated by companies and consultants at the tradeshow expo, helping facilities deliver on their environmental and efficiency goals;
- ✓ Best practices sharing through sessions and networking with other like-minded sector decision makers and practitioners;
- ✓ Real-life solutions from municipalities and organizations who have already moved to energy efficient methods; and
- ✓ Information on grants, funding and cost-saving.

I want to highlight a few of our keynote speakers:

- ❖ *Property Assessed Clean Energy (PACE) Program - Justin Smith, Energy Efficiency Alberta* - This session will overview the legislation that allows municipalities to establish programs that will make it more affordable for Albertans to upgrade their properties (commercial, residential and agricultural) without having to put money down.
- ❖ *Les Quinton (Town of Black Diamond)* - This session will highlight key considerations in cost effective and greener decision making and planning.

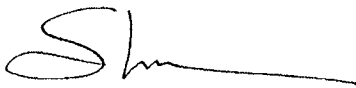
.../Pg. 2

- ❖ *Blatchford* - This session will focus on the green infrastructure and renewable energy that is being incorporated into the subdivision. Living, working and learning in a sustainable community that uses 100% renewable energy, is carbon neutral, significantly reduces its ecological footprint, and empowers residents to pursue sustainable lifestyle choices.

Program sessions, registration and accommodation information can be found at <https://arpaonline.ca/events/greener-facilities-conference-expo/>

We look forward to see you there.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Susan Laurin', with a long horizontal flourish extending to the right.

Susan Laurin
President

Memo



To: Redcliff Town Council

From: Legislative & Land Services

Date: September 24, 2018

Re: Review of an Order to Remedy Unsightly Property
638 2nd Street SE (Lots 39-40, Block 8, Plan 1117V)

The Bylaw Enforcement Officer issued an “Order to Remedy Unsightly Property” to the owner of 638 2 Street SE (Lots 39-40, Block 8, Plan 1117V). The Order was sent by registered mail on August 20, 2018. The tracking order from Canada Post indicates the Order was picked up on August 21, 2018 at 13:21 hrs.

The Town of Redcliff received at Town of Redcliff office a “Notice of Request for Review of an Order to Remedy Unsightly Property” from J. S. Laurie on September 10, 2018 relating to the above stated order accompanied with a \$100 deposit fee. This fee is refundable if the appellant is successful in their appeal.

Bylaw 1788/2014, Nuisance & Unsightly Premises Bylaw further states that

“The Owner or Occupant to whom a Remedial Order is directed may request a review of the Remedial Order by written notice to Council:

- a) within fourteen days of the receipt of the Remedial Order relating to a Nuisance;*
- b) within seven days of the receipt of the Remedial Order relating to an Unsightly or Dangerous Condition;*
- c) or such longer period as may be specified in the Remedial Order.”*

In the case of this order issued, the timeframe for receipt of a Request to Review an Order to Remedy Unsightly Property is to be received by the Town within seven (7) days of receipt of the Remedial Order by the owner/occupant. Based on the information available, receipt of the “Request to Review the Order to Remedy Unsightly Property” by the Town Office falls after the receipt deadline specified in the Bylaw, which would have been August 28, 2018.

Administration notes that based on the timelines of issuing said Order and receipt of the “Request to Review an Order to Remedy Unsightly Premises” not meeting the legislated timelines, Council has the discretion to hear the review or not.

If Council decides to move forward with the review, Administration further notes that Council may confirm, vary, substitute or cancel the Order.

Attachment(s):

1. Order to Remedy Unsightly Property
2. Notice of Request for Review of an Order to Remedy Unsightly Property
3. Canada Post Tracking Report
4. Bylaw 1788/2014, Nuisance & Unsightly Premises Bylaw

Red. Sept. 4/2018



ORDER TO REMEDY UNSIGHTLY PROPERTY

(Issued under Bylaw No. 1788/2014, The Nuisance and Unsightly Property Bylaw and the *Municipal Government Act*, S.A. 2000, c.M-26)

DATE ISSUED:: August 20, 2018

TO: FARWEST LAND & PROPERTIES INC.
(owner's name)

PROPERTY: Municipal Address: 638 2 STREET S.E. REDCLIFF, ALBERTA
Legal Address: Plan: # 1117V Block: 8 Lot: 39 AND 40


YOU ARE ORDERED, PURSUANT TO SECTION 546(1)(c) OF THE MUNICIPAL GOVERNMENT ACT, R.S.A., 2000, c.M-26, TO REMEDY UNSIGHTLY PROPERTY BY DOING THE FOLLOWING

***** CUT GRASS TO NOT EXCEEDS 15 cm. IN HEIGHT AND REMOVE WEEDS ON THE PROPERTY, BOULEVARD AND LANEWAY, INCLUDING BUT NOT LIMITED TO THE BINDWEED. REMOVE ANYTHING FROM THE PROPERTY EXTERIOR AND BOULEVARD THAT MAKES IT APPEAR UNSIGHTLY AND OR DANGEROUS, SUCH AS, BUT NOT LIMITED TO, BUILDING MATERIALS, BROKEN LUMBER. REMOVE PILES OF CONCRETE AND DEBRIS FROM THE PROPERTY *****

YOU MUST IMMEDIATELY REMEDY THE UNSIGHTLY PROPERTY AND SURROUNDINGS, AS ORDERED, BEFORE THE 19 Day of September 2018 AND THEREAFTER MAINTAIN THE PROPERTY TO PREVENT THE REOCCURRENCE OF ANY UNSIGHTLY CONDITION DETRIMENTAL TO THE SURROUNDING AREA.

FAILURE TO COMPLY WITH THIS ORDER OR FAILURE TO MAINTAIN THE PROPERTY MAY RESULT IN A SUMMONS BEING ISSUED AND MAY RESULT IN THE TOWN OF REDCLIFF TAKING THE ACTION OR MEASURE TO REMEDY THE CONDITION AT YOUR EXPENSE AND MAY BE APPLIED TO YOUR PROPERTY TAX.

EACH DAY OR PORTION OF A DAY THAT THE ORDER IS NOT COMPLIED WITH CONSTITUTES A SEPARATE AND SUBSEQUENT OFFENCE AND MAY RESULT IN AN ADDITIONAL SUMMONS BEING ISSUED


B. STEIER
Redcliff Bylaw Officer, 403-548-9246

Email: barrys@redcliff.ca

If you have questions regarding this Order please contact the investigator at the phone number above or the Manager of Legislative & Land Services at 403-548-9247.

Penalties for violation of this bylaw are as follows:

Fines related to an Order issued for a Residential Property are \$250 to \$500 for the first offence and \$500 to \$10,000 for each subsequent offence.

Fines related to an Order issued for a Non-Residential Property are \$250 to \$500 for the first offence and \$500 to \$10,000 for each subsequent offence.

You may request a review of this Order by completing the attached Notice and delivering it to the Office of the Manager of Legislative & Land Services at Town Hall (#1-3 Street N.E. Redcliff, AB) within 7 days of the date that this Order is received.



RECEIVED
SEP 10 2018
TOWN OF REDCLIFF

File # 20180719-000453

NOTICE OF REQUEST FOR REVIEW OF AN ORDER TO REMEDY UNSIGHTLY PROPERTY

DATE: 9 SEPTEMBER 2018.

TO: Redcliff Town Council
C/O Legislative and Land Services
Town Hall
1 - 3rd Street N.E.
Redcliff, Alberta
T0J 2P0

I am requesting a review of the Order dated AUGUST 20, 2018, regarding
(Date of the Order)

638, ZUMA ST, S.E. REDCLIFF, AB. T0J 2P0.
(Property Address)

List reasons for your request for a review:

1. CONFLICT WITH NEIGHBORING PROPERTY OWNER(S)
2. ADDITIONAL PERMIT REQUIREMENTS
3. DESIGN CHANGES CAUSING DELAYS.
4. SOME ONE PAINTED "FREE" ON THE LUMBER/MATERIALS CAUSING THEFT
5. WE HAVE BEEN CUTTING & MAINTAINING WEEDS + TREES.
(Use a separate sheet if necessary)
6. WORK EXPECTED TO COMMENCE WITHIN 30 DAYS

J. S. Laurie

Signature

J. S. LAURIE

Name Printed

43, RIVERVIEW DR. S.E.

Street Address

Phone Numbers:

Home: 403-952-6818

REDCLIFF, AB. T0J 2P0.

Postal Code

Work: 403-528-3624

ONLY a request for a review of an order delivered to the Office of the Manager of Legislative & Land Services WITHIN 7 DAYS OF THE DATE THAT THIS ORDER IS RECEIVED will be heard by the Town's Council. You will be contacted of the date of the review.

****Note: A fee of \$100.00 must be submitted with this Notice of Review.****

**Tracking number**

RW787132770CA

Product Type: Lettermail**Expected Delivery:** 2018/08/23**Delivery progress**

Date	Time	Location	Description	Retail Location	Signatory Name
2018/08/21	13:21	REDCLIFF, AB	Delivered		
2018/08/21	13:21		Signature image recorded for Online viewing		farwest land and properties in
2018/08/21	08:56	REDCLIFF, AB	Notice card left indicating where and when to pick up item		
2018/08/20	14:06	REDCLIFF, AB	Item accepted at the Post Office		

Features and Options

Signature Required

**TOWN OF REDCLIFF
BYLAW NO. 1788/2014**

A BYLAW OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA TO PROMOTE THE MAINTENANCE OF PROPERTY AND TO REGULATE NUISANCES, UNSIGHTLY PROPERTY AND CONDITIONS OR SITUATIONS WHICH ARE DANGEROUS TO PUBLIC HEALTH AND SAFETY

WHEREAS the *Municipal Government Act* (Alberta) authorizes municipalities to pass Bylaws respecting safety, health and welfare of people and the protection of people and property;

NOW THEREFORE THE COUNCIL OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw shall be known and cited as the "Nuisance and Unsightly Premises Bylaw" of the Town of Redcliff.

INTERPRETATION, PURPOSE AND DEFINITIONS

2. The purpose of this Bylaw is to promote the maintenance of property within the Town of Redcliff in a tidy, pleasant and safe condition and to eliminate or minimize nuisances, unsightly property and dangerous or hazardous conditions;
3. In this Bylaw, the definitions set forth in Section (1) of the *Municipal Government Act* (Alberta), as amended, shall apply to this Bylaw and in addition the following definitions (unless the context specifically requires otherwise) shall also apply:
 - a) **"Act"** means the *Municipal Government Act* (Alberta), as amended.
 - b) **"Board"** means the Town's Subdivision and Development Appeal Board.
 - c) **"Bylaw Enforcement Officer"** means a person appointed as a Bylaw Officer by the Town of Redcliff and includes any Police Officer, Peace Officer and any member of the municipal Police Force or a member of the Royal Canadian Mounted Police.
 - d) **"Council"** means the Municipal Council of the Town of Redcliff.
 - e) **"Dangerous Condition"** means the condition of any property, premises, structure or improvement or any part thereof, which is likely or probably hazardous or dangerous to public health and safety and shall include without limiting the generality of the foregoing:
 - i) a refrigerator, ice box or freezer, which is not being used for the storage of perishable goods and is equipped or fitted with a door that cannot be opened from the inside;
 - ii) an excavation or hole that is not safeguarded to prevent persons from falling into such excavation or hole.

- f) **"Designated Officer"** means a designated Officer of the Town in accordance with the Act.
- g) **"Improvement"** means:
 - i) a structure;
 - ii) anything attached or secured to a structure that would be transferred without special mention by a transfer or sale of the structure;
 - iii) a designated manufactured home; and
 - iv) machinery and equipment.
- h) **"Nuisance"** means any use of or activity upon any property which is offensive to any person, or has or may have a detrimental effect or impact upon any person or other property in the neighborhood and, without limiting the generality of the foregoing, includes the following:
 - i) the failure to cut grass or weeds or allowing grass or weeds to exceed 15 cm. in height;
 - ii) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds;
 - iii) the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or sidewalk or roadway clearance;
 - iv) the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period in excess of six minutes in any one hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council;
 - v) the generation of excessive dust and permitting such dust to escape from the property;
 - vi) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
 - vii) the failure to control or eliminate insect pests harmful to the growth and development of trees and shrubs or any vegetable or plant life;
 - viii) the failure to dispose of dilapidated vehicles or the storage of vehicles in excess of the number of vehicles permitted under the Town's Land Use Bylaw;
 - ix) the failure to dispose of discarded or dilapidated furniture or household appliances, scrap metals, scrap lumber, tires and motor vehicle parts;

- x) the failure to dispose of any rubbish, garbage or animal excrement accumulated upon any property;
 - xi) the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition;
 - xii) drawing, painting or writing of any signs or messages upon public or private property, except with the prior permission of the owner of the property.
- i) **"Occupant"** means any person who has lawful possession, resides in or occupies any land, parcel of land or building within the municipal boundaries of the Town of Redcliff but is not an owner.
- j) **"Owner"** means:
- i) in respect of land, any person who is registered under the *Land Titles Act* (Alberta) as the owner of the fee simple estate in the land or parcel of land within the municipal boundaries of the Town of Redcliff, or any person shown or designated as the owner pursuant to the current Tax Roll of the Town of Redcliff;
 - ii) in respect of property other than land, the person in lawful possession of it.
- k) **"Person"** means an individual, trustee, legal representative, proprietor, body corporate, association or partnership.
- l) **"Premises"** means any land, building or property, whether real or personal.
- m) **"Property"** means the parcel of land and improvement, or a parcel of land and the improvements to it. Property shall also include the adjacent boulevard, and the land directly behind the rear of the property from property line to the mid-point of the laneway or one (1) meter beyond rear property line if abutting a Public Reserve area.
- n) **"Remedial Order"** means an order or direction of a Bylaw Enforcement Officer or designated person issued pursuant to Section 5 of this Bylaw.
- o) **"Structure"** means a building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land.
- p) **"Town"** means the Town of Redcliff.
- q) **"Unsightly Condition"** means the condition of any property, premises, structure or improvement, or any part thereof, which is detrimental to the surrounding area, due to its unsightly or untidy condition, as characterized by visual evidence of a lack of general maintenance, repair and upkeep and, without limiting the generality of the foregoing, includes:

- i) specific deterioration of improvements or portions of improvements;
- ii) broken or missing windows, siding, shingles, shutters, eaves and other building materials on any building or improvement;
- iii) significant fading, chipping or peeling of painted areas of any building or improvement;
- iv) excessive storage or accumulation on premises of:
 - a) any rubbish, refuse, trash, papers, packages, containers, bottles, cans, sewage, dirt, soil, gravel, rocks, sod, petroleum products, hazardous recyclables, substances and wastes as defined in the *Environmental Protection and Enhancement Act* (Alberta), household dishes and utensils, boxes, cartons, fabrics or household goods;
 - b) the whole or any part of any motor vehicle as defined under the *Traffic Safety Act* (Alberta), as amended, as well as any tractor or implement of husbandry, which has no current license attached to it and in respect of which no registration certificate has been issued for the current year, or which is inoperative by reason of disassembly, age or mechanical condition;
 - c) equipment or machinery which has been rendered inoperative by reason of disassembly, age or mechanical condition, including household appliances;
 - d) all forms of garbage, litter and refuse, including but not limited to building materials, tires, boxes, scrap material, dilapidated furniture, appliances, machinery, machinery parts, or other similar materials or items.

NUISANCES, UNSIGHTLY CONDITIONS AND DANGEROUS CONDITIONS – PROHIBITION

- 4. No Person, being the Owner or Occupant of any Property or Premises within the Town, shall permit such Property or Premises, or any activity upon such Property or Premises, to be or remain a Nuisance.
- 5. No Person shall cause or permit or undertake any activity upon any Town Property which is a Nuisance.
- 6. No Person, being the Owner or Occupant of any Property or Premises within the Town, shall permit such Property or Premises to be or remain in an Unsightly Condition.
- 7. No Person, being the Owner or Occupant of any Property or Premises within the Town, shall permit such Property or Premises to be or remain in a Dangerous Condition.

INSPECTION

8. A Bylaw Enforcement Officer or a Designated Officer is hereby authorized to enter any Property or Premises to inspect for conditions that contravene or fail to comply with any provisions of this Bylaw.
9. Any Bylaw Enforcement Officer or Designated Officer or any other Person authorized by Council to do so, who enters upon Property or Premises for the purposes of an inspection or to remedy a condition which constitutes a contravention of this Bylaw, shall be deemed to have the authorization of Council and shall not incur any liability therefore.

REMEDIAL ORDER

10. If a Bylaw Enforcement Officer or Designated Officer considers any Property or Premises to be in contravention of any provision of this Bylaw, the Bylaw Enforcement Officer or Designated Officer shall cause a Remedial Order to be issued and served upon the Owner or Occupant of such Property or Premises, directing the Owner or Occupant to remedy the contravention ("Remedial Order").
11. Every Remedial Order shall be in writing and contain the following:
 - a) indicate the Person to whom it is directed;
 - b) identify the Property or Premises to which the Remedial Order relates by municipal address or legal description;
 - c) identify the date that it is issued;
 - d) identify or state how the Property or Premises fails to comply with this Bylaw;
 - e) identify the specific provisions of the Bylaw that the Property or Premises contravenes;
 - f) identify, with reasonable particulars, the nature of the remedial action required to be taken to bring the Property or Premises into compliance;
 - g) identify the time within which the remedial action must be complete;
 - h) indicate that if the remedial action is not completed within the specified time, the Town may take whatever actions or measures are necessary to remedy the contravention;
 - i) indicate that the expenses and costs of any action or measures taken by the Town under this Section will be an amount owing to the Town by the Person to whom the Remedial Order is directed;
 - j) indicate the expenses and costs referred to in this Section may be attached to the Tax Roll of the Property, if such costs are not paid within a specified time;

- k) indicate that an Appeal lies from the Remedial Order to the Board, if a Notice of Appeal is filed, in writing, with the Town within a certain specified time following receipt of the Remedial Order.

SERVICE OF DOCUMENT, ORDER OR NOTICE

- 12. Service of any document, order or notice required to be served pursuant to this Bylaw, may be served either:
 - a) personally upon the Person, Owner or Occupant required to be served;
 - b) by prepaid, registered mail at the address of:
 - i) the Owner, as shown on the Tax Roll;
 - ii) the Person or Occupant, other than the Owner, at the last known mailing address;
 - c) in the case of a corporation, personally upon any director or officer of the corporation or, alternatively, by prepaid, registered mail at the address of the registered office of the corporation.
- 13. If service is effected by prepaid, registered mail, service will be deemed to have been received five days following the mailing of the document, order or notice.
- 14. A Remedial Order issued pursuant to this Bylaw may be served personally upon the Owner or Occupant of the Property or Premises to which it relates, or may be left with a Person apparently over the age of eighteen years at the Property or Premises.
- 15. If, in the opinion of a Bylaw Enforcement Officer or Designated Officer, service of the Remedial Order cannot be reasonably effected, or if the Bylaw Enforcement Officer or Designated Officer believes that the Owner or Occupant of the Property or Premises is evading service, the Officer may post the Remedial Order in a conspicuous place on the Property or Premises to which the Remedial Order relates, or on the private dwelling place of the Owner of the Property or Premises, as registered at the Land Titles Office or on the municipal Tax Roll of the Property or Premises, and the Remedial Order shall be deemed to have been served upon the expiry of three days after the Remedial Order is posted.
- 16. Every person who fails to comply with the Remedial Order issued pursuant to this Bylaw, or fails to comply with the Order of the Board following a Review, commits an offence.

SECTION 7 - REVIEW OF REMEDIAL ORDER

- 17. The Owner or Occupant to whom a Remedial Order is directed may request a review of the Remedial Order by written notice to Council:
 - a) within fourteen days of the receipt of the Remedial Order relating to a Nuisance;

- b) within seven days of the receipt of the Remedial Order relating to an Unsightly or Dangerous Condition;
 - c) or such longer period as may be specified in the Remedial Order.
18. A Review of Remedial Order must be in writing, signed by the Owner or Occupant or their authorized agent and shall state:
- a) the name of the Owner or Occupant;
 - b) the municipal address or legal description of the Property or Premises to which the Remedial Order being appealed relates to;
 - c) the nature or grounds for the Review;
 - d) the address at which documents relating to the Review can be delivered.
19. A Review of Remedial Order shall be delivered personally, or be sent by prepaid, registered mail to the Town, within the time specified in the Bylaw or in the Remedial Order.
20. A Review of Remedial Order shall be accompanied by a deposit in the amount specified in Schedule "A".
21. The deposit made under subsection 7.5 20 shall be refunded if the appellant is successful in their Appeal.
22. Upon review of the Order, Council may confirm, vary, substitute or cancel the Order.
23. A owner or occupant affected by a decision of Council may appeal to the Court of Queens Bench, in accordance with Section 548 of the Act.

GENERAL PENALTY PROVISIONS

24. Any Person who contravenes any provision of this Bylaw by:
- a) doing any act or thing which the Person is prohibited from doing; or
 - b) failing to do any act or thing which the Person is required to do;
- is guilty of an offence.
25. Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00 or, in default of payment of a fine imposed, to a period of imprisonment not exceeding six months.



VIOLATION TICKETS AND PENALTIES

26. Where the Bylaw Enforcement Officer or Designated Officer believes that a Person has contravened any provision of this Bylaw, the Officer may commence proceedings against the Person by issue of a violation ticket pursuant to the *Provincial Offences Procedures Act* (Alberta).
27. Where there is a specified penalty listed for an offence in Schedule "A" of this Bylaw, the amount is the specified penalty for the offence.
28. Where there is a specified penalty listed for an offence in Schedule "A" of this Bylaw, the amount is the minimum penalty for the offence.
29. Notwithstanding the specified or minimum penalties set out in Schedule "A" of this Bylaw:
 - a) if a Person is convicted twice of the same provision of this Bylaw within a twenty-four month period, the minimum penalty for the second conviction shall be the amount of the specified penalty for a first offence; and
 - b) if a Person is convicted three or more times of the same provision of this Bylaw within a twenty-four month period, the minimum penalty for the third and subsequent convictions shall be double the amount of the specified penalty for such first offence.
30. This Section shall not prevent any Bylaw Enforcement Officer or Designated Officer from issuing a violation ticket requiring a Court appearance of the Person, pursuant to the provisions of the *Provincial Offences Procedures Act* (Alberta), or from laying an Information in lieu of issuing a violation ticket.
31. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which that Person is liable under the provisions of this Bylaw.

MISCELLANEOUS

32. Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial law or regulation, or other Bylaw, or any requirements of any lawful permit, order or licence.
33. Where this Bylaw refers to another Act, Bylaw, regulation or agency, it includes reference to any Act, Bylaw, regulation or agency that may be substituted therefor.
34. Every provision of this Bylaw is independent of all other provisions and, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
35. The Town is not required to enforce every breach or contravention of this Bylaw. In deciding whether or not to enforce the Bylaw, the Town may take into account any practical concerns or considerations, including but not limited to the nature and extent of the breach or contravention, any financial or budgetary considerations and the availability of personnel or human resources.

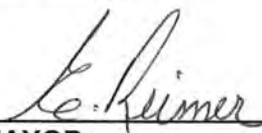
36. All Schedules attached to this Bylaw shall form part of this Bylaw.
37. Upon coming into force of this Bylaw, the following Bylaw shall be repealed:
- Bylaw 1575/2008 the Nuisance and Unsightly Premises Bylaw

READ a first time the 9th day of June, 2014.

READ a second time the 9th day of June, 2014.

READ a third time the 9th day of June, 2014.

SIGNED AND PASSED this 11 day of June, 2014.



MAYOR



MANAGER OF LEGISLATIVE AND LAND SERVICES

SCHEDULE "A"

Specified and Minimum Penalties

Section	Offence	Specified Penalty
4	Permitting or allowing a Nuisance on Property or Premises	\$ 250.00
5	Causing or permitting a Nuisance on Town Property	\$ 250.00
6	Permitting or allowing an Unsightly Condition on Property or Premises	\$ 250.00
7	Permitting or allowing a Dangerous Condition on Property or Premises	\$ 250.00
16	Failing to comply with a Remedial Order or failing to comply with a Remedial Order following an Appeal	\$ 500.00

Appeal Amount

21	The amount required to be submitted with a Notice of Appeal	\$ 100.00
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TOWN OF REDCLIFF MUNICIPAL MANAGER REPORT TO COUNCIL

September 24, 2018



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MUNICIPAL MANAGER

Ongoing Projects

- Continued work on the modernized MGA compliance matters. Continue to work in conjunction with the administration of the neighbouring municipalities. Met multiple times with CMH and CC administration to prepare for next ICF Steering Committee meetings.
- Strategic Plan. Worked with facilitator to complete and bring strategic plan to September 24 regular council meeting for approval. Thank you to everyone involved in this process for participating and providing feedback. The final step with regard to the strategic plan is to prepare an operational plan that will support and help realize the identified strategies and goals.
- Website project underway with general format being solidified. It is intended that the new website format, once complete, will provide for ease of use as well as be informative.
- Working with Redcliff Fibre (Certainteed) to obtain required lands for 3rd and 3rd lift station attenuation project. Working with legal counsel for the drafting of a purchase agreement. Subdivision of lands was recently considered by the MPC.
- Recruitment process for the Director of Protective and Community Services vacancy is now complete. We are now recruiting for an IT Systems Analyst and will be soon recruiting for a new Community and Protective Services Clerk. Both employees have accepted opportunities in other municipalities.
- Responding to, in coordination with Planning and Engineering, developer inquiries.
- Finalization of cell tower lease agreement as per direction received at the May 14, 2018 regular council meeting.
- Ascertained Redcliff Council availability followed by extension of invite to Cypress County for informal dinner between Councils. Awaiting response, after which final details will be arranged and implemented. We will let council know once finalized.

Ongoing Day to Day Responsibilities

- Legal files continue to require large amounts of time. This has slowed down completion and initiation of other projects and is affecting day to day operations of multiple departments.
- Council meeting preparation and Request for Decision Review and drafting.
- HR functions represent a significant portion of the municipal manager regular work week (40%-50% weekly). Recruitment, and some orientation, is currently requiring much of administration's time.
- Correspondence with CUPE as required.
- Reviewing and signing off on procedures as they are updated.
- Responding to councillor inquiries as they arise.
- Providing vacation coverage for senior management positions as required.
- August 23 – attended and participated in the 2nd ICF Steering Committee meeting.
- September 12 – attended Emergency Management Training for the region, hosted at the City of Medicine Hat.
- September 14 – attended and participated in a Website renewal task group meeting.
- September 20 – met with Town lawyer to discuss drafting of land sales agreement(s).

COMMUNITY & PROTECTIVE SERVICES

Parks, Recreation and Facilities

Rec-Tangle:

- Removed summer flooring
- Painted dressing room #1
- Stripped and waxed upstairs meeting room floor
- Cleaned all glass around floor surface
- Completed board cleaning in preparation for ice installation
- Completed minor board repairs
- Completed required board glass replacement
- Replaced boiler required for ice making
- Cleaned and sanitized all dressing rooms in preparation for season
- Cleaned and sanitized lobby
- Prepared equipment for ice installation

Pool:

- Continued pool operations
- Pool shut down August 26, 2018
- Drained pool and winterized piping
- Cleaned and sanitized pool building and prepared for winter

Facilities:

- Completed monthly building inspections
- Lighting maintenance as required at RCMP building
- Replaced exhaust fan in dog pound
- Ordered and installed surveillance signs at Town Hall, Water Treatment Plant and Public Works Shop
- Cleaned sewer lift at RCMP building after cleaning blockage
- Ordered materials for pump twinning at Town Hall
- Installed bottle fill station at Town Hall
- Re-distributed excess appliances where required
- Continued facility cleaning as necessary
- Closed and awarded janitorial contract pending RCMP clearance

Parks:

- Continued cutting and trimming operations along paths, in parks and non-groomed areas
- Continued path grooming
- Continued irrigation repairs/upgrades
- Performed playground maintenance as necessary
- Completed spraying operations for the season
- Performed cleanup along Broadway Ave of berries from ornamental trees

- Completed ball diamond grooming
- Continued branch cleanup and tree trimming as required
- Continued and completed tertiary gopher control program
- Continued weekly garbage collection in parks and on trails

Other:

- Continued 2019 budget preparation
- Sent request to Alberta Association of Recreation Facility Personnel for course hosting in 2019
- Prepared and sent out RFP for off leash dog park works
- Received quotes for grant projects and continued working with contractors to obtain remaining quotes for grant applications
- Complete seasonal layoff notices for pool staff and summer students

FCSS, Community Services and Special Events

- Received notification of approval for 3 new societies
- Met with/reached out to program facilitators re: Fall programming
- Completed Fall program planning
- CFEP Grants: Began the application process.
- Facilitated Parent and Tot Meet ups
- Attended the Fresh Start to School event to promote FCSS programming and services
- Planning for World Suicide prevention Day September 10th, 2018 – teamed up with Redcliff Bakery
- Met Parent Link rep to discuss collaboration with FCSS in the fall
- Continued Fall Festival, Youth VS RCMP kickball and Coalburner planning.
- Oversaw Summer Camps
- Liaised with 670 Collective regarding potential new trails
- Started work on updating agreement with 670 Collective
- Bookings for programming ongoing
- Completed scheduling programming for Fall and Winter
- Completed and released Fall Community Guide
- Continued facility bookings for private events
- Completed AR requests for previous month
- Contacted users regarding overdue recreation bills
- Pulled reports from RecDesk system for payment transfers
- Design and creation of marketing for programming and events
- Weekly Commentator/Redcliff Reports updated and sent out
- Weekly updates completed on Electronic Sign
- Attended website development meetings to review potential contractors
- Discussed potential for temporary campground concept with Rec Board and Director of Planning and Engineering

Bylaw and Protective Services

- Ongoing work on Fire administration
- Added Fire Ban & Advisories section to Public Notices on the website
- Provided Fire Captains access to firehall.net
- Organized and completed Fire inspection, inspection report emailed to applicant
- Ongoing purchasing of replacement Fire/Pumper Truck equipment
- Documented False Alarms and sent out warning letters & invoices
- Review of Park, Recreational and Public Areas Bylaw with Planning Specialist, Director of Planning and Engineering, CAO, and Bylaw Officer
- Bylaw Initiatives for August:
 - Weed control
 - Unsightly properties
 - Snake patrols/removals in parks and residential.

Case Report

Count of Incident Types



BYLAWS : ANIMAL-OTHER : DEER: 1 1%

Case Report

BYLAWS : ASSIST OTHER DEPT: 5 7%

BYLAWS : ASSIST PUBLIC: 3 4%

BYLAWS : ASSIST PUBLIC : NEIGHBORHOOD DISPUTE: 1 1%

BYLAWS : CAT : AT LARGE: 1 1%

BYLAWS : CAT : TEASING TORMENTING OR ANNOYING A CAT: 1 1%

BYLAWS : DOG : ANIMAL ABUSE: 2 3%

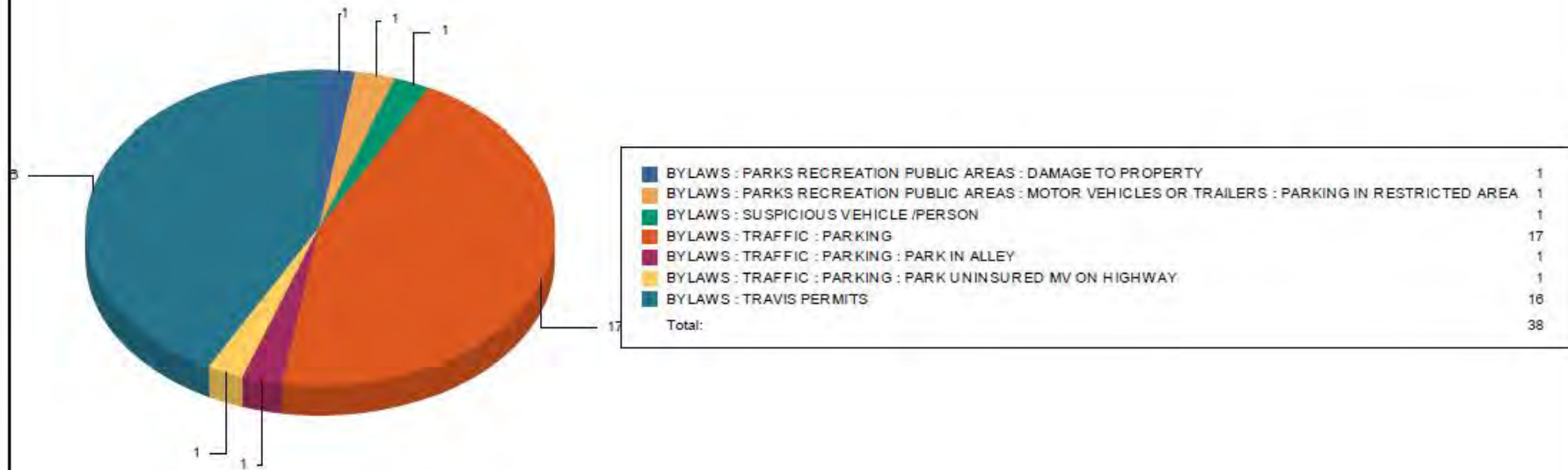
BYLAWS : DOG : AT LARGE: 2 3%

BYLAWS : NUISANCE/UNSIGHTLY : OWNER OR OCCUPANT OF PROPERTY OR PREMISES PERMIT TO BE/REMAIN UNSIGHTLY: 12 18%

BYLAWS : PARKS RECREATION PUBLIC AREAS : CAMPGROUND USE : NON PAYMENT OF SITE: 1 1%

Case Report

Count of Incident Types



BYLAWS : PARKS RECREATION PUBLIC AREAS : DAMAGE TO PROPERTY: 1 1%

BYLAWS : PARKS RECREATION PUBLIC AREAS : MOTOR VEHICLES OR TRAILERS : PARKING IN RESTRICTED AREA: 1 1%

BYLAWS : SUSPICIOUS VEHICLE /PERSON: 1 1%

BYLAWS : TRAFFIC : PARKING: 17 25%

Case Report

BYLAWS : TRAFFIC : PARKING : PARK IN ALLEY: 1 1%

BYLAWS : TRAFFIC : PARKING : PARK UNINSURED MV ON HIGHWAY: 1 1%

BYLAWS : TRAVIS PERMITS: 16 24%

Grand Total: 100.00% Total # of Incident Types Reported: 67

PUBLIC SERVICES

Water and Sewer Utilities

Utility Services have:

- Completed several locate requests
- Completed water treatment daily duties
- Minor repairs in water plant
- Weekly water testing
- Pre/Post construction inspections for new housing developments
- Completed daily inspections of sewer lifts
- Curb stop repairs
- Started Sewer Flushing
- Finished flushing hydrants
- Completed bi-annual water testing
- Installed Radio Read meters
- Minor repairs at river pump house
- Helped with water line install at 3rd Avenue SW

Municipal Works

Municipal Works have:

- Conducted various Funeral interments
- Hauled sand and gravel to stock pile in yard
- Bin placements/pickups as needed
- Repair garbage can lids (on going)
- Bladed gravel roads in town
- Fix various signs around town
- Graveled and repaired alleys
- Repaired pot holes around town
- Conducted catch basin cleaning
- Crack filling town roads
- Repaired sidewalks
- Helped at landfill running litter truck
- Marked out a number of areas for Monument installation at cemetery
- Installed water line at 3rd Avenue SW
- Main valve maintenance
- Helped Travis with minor repairs in shop
- Grinded out and repaired numerous manhole covers
- Chopped up weapons that the RCMP brought in
- Trimmed trees in cemetery and around shop

Landfill Authority

Landfill staff have:

- Picked garbage inside landfill and in neighboring field after a wind event (on going)
- Clean scales (on going)
- Hauled cover soil (on going)
- Ridgeline hauling in soil
- Maintained roads inside landfill
- Equipment maintenance (on going)
- Cleaned under scales (on going)
- Cleaned up shop (on going)
- Completed daily compacting
- Mowed and weed whipped areas around shop (on going)

PLANNING & ENGINEERING:

Priorities for September

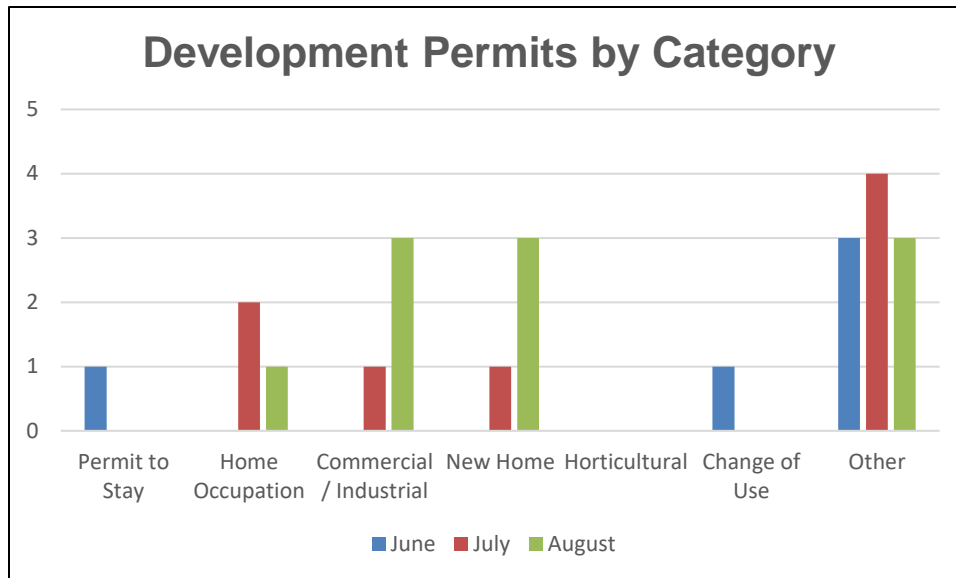
- Sanitary Sewer Master Plan
- Subdivision Procedure
- MDP Steering Committee 9th meeting
- Asset Management
- ADOA Conference
- MDP Draft Document
- Development Agreement for 3rd Street NW
- Staff meetings are being held each week on Tuesday afternoon

Planning

- Completion of the unfiled boxes of documents continues.
- Land Use Bylaw – the overall LUB rewrite is planned for later this year. The intent is that as sections are drafted they will be brought to Council for presentation and review. The first item that will be brought to Council will be the organization of the document with other sections to follow. It is expected that the project will be completed in 2019.
- Municipal Development Plan - Significant work has been undertaken on the MDP update. Much of the background information has been gathered. The next steps are:
 - Creating draft of the Municipal Development Plan for presentation to Council
 - Sharing the preliminary draft with Council and making adjustments as needed
 - Public consultation and input on the preliminary draft
 - Report to Council on the public responses to the preliminary draft
 - Prepare the final Municipal Development Plan document
 - Prepare adoption documents.

It is expected that these next steps will take 4 to 6 months.

- Development Permits – In August the Town of Redcliff issued the following Development Permits as shown below:



- Subdivisions

3rd Avenue & 3rd Street NW Lift Station site expansion.

Farwest has applied for a subdivision of 625 – 1 Street SE into 3 Lots.

Agreements

- The subdivision extension for the Farwest subdivision at 5th Street NW between 1st Avenue and 2nd Street was refused by MPC.

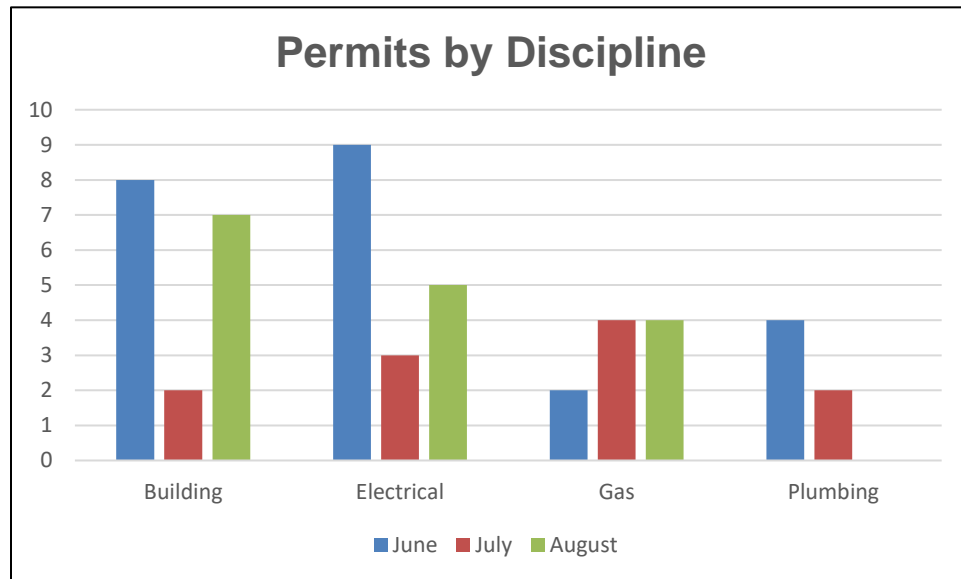
No communication has been received from Far West Land & Properties since May 28, 2018. The tender prices expired August 13, 2018.

The cost sharing / service agreement has been sent to Far-West Land & Properties for review and signing. The work has been tendered and the tender amounts were included in the agreement. Construction will not commence until the developer has paid all monies owed to the Town and put up the money for the developer's share of the construction costs with his lawyer which will be held under legal trust conditions.

- New Rock developments has requested a development agreement for their project located at 15 – 3rd Street NW.

Safety Codes

Safety Codes Permits issued by the Town for the month of August.



Engineering

- Sewer System Bylaw review remains on the radar.
- Off-site Levies Calculator in Alpha Testing.

Studies:

Inflow and Infiltration Study

The Town's sanitary sewer model is now calibrated and the model can be used to identify and quantify for dry weather flow. Work continues to simulate the July, 2013 event. The model is confirming that the biggest issue is inflow and new efforts to identify potential sources of inflow and eliminate them will be coming.

Capital Projects:

Riverview Groundwater and Road Rehabilitation

Project is complete.

3rd and 3rd Lift Station Upgrades

The plan of subdivision has been approved. The local manager of CertainTeed has been authorized to sell the Town the land needed for this project. The delay in acquiring the land has pushed back construction.

Sanitary Sewer Improvements

Planning & Engineering and Public Services will undertake additional work on the sanitary sewer system in 2018 to raise manholes tops that are located in ditches and fields, install more manhole lid pans, seal more manhole chimneys and repair or replace manholes that are in very poor shape. The goal is to reduce inflow to the system. In addition monitoring is going to be done to validate that the inflow issues are being addressed. As part of this effort data sheets for every manhole that requires improvements have been created. These sheets will help to document what the issue was and how it has been fixed.

2nd Street and 5th Avenue Lift Station

An open house for this project was held on June 13, 2018. Overall response was positive with the major concern being raised is the potential for smells to be generated. As part of the design every reasonable measure has been taken to reduce the likelihood of smells being generated. We have looked at what it would cost to locate the lift station east of Jesmond Drive in a large open area that is further away from most houses and have found that it is approximately 10% cheaper and will also reduce the time that 5th Avenue would be closed for construction.

Due to the cost estimates on building a new lift station we are re-examining the upgrading at the Jesmond lift station to confirm what the lowest cost option will be.

Golf Course Coulee Outfall

An ARCP grant application was made for this project. The estimated cost of the whole project is \$2,571,520 of which is eligible for 90% funding up to \$3 million. The project can be phased with the most critical parts on the project being a storm pond next to the Eastside Phase 1 Park and the proposed driving range pond. We have been informed that the project was deemed eligible but is not being funded.

Eastside Sewage Surge Tanks

Preliminary design report is 50% complete.

FINANCE AND ADMINISTRATION

- Regular daily duties related to finance
- Updated finance manuals review
- Policies review
- Computer upgrades for Town main office staff by finance

LEGISLATIVE AND LAND SERVICES

- Ongoing inquires re: general land sales. Three sales to date.
- Council agenda preparation & follow up. Department Head meetings pre/post meeting.
- Ongoing Legal File Review. Compiling Information as requested.
- Ongoing conversion of minutes, bylaw and agreements, property files to digital format.
- Reviewing Records Retention Bylaw / Drafting master document / filing list.
- Reviewing Policies/Procedures
- Arranging for sale of surplus items
- Website update project is underway
- Arranging for Subdivision & Development Appeal Board Training
- Final Arrangements for AUMA convention
- Arranging for Subdivision & Development Appeal Board Hearing



COUNCIL IMPORTANT MEETINGS AND EVENTS

Date	Meeting / Event	Where / Information
September 26 – 28, 2018	AUMA Convention	Red Deer, AB
September 29, 2018	Alberta Culture Days Event RSVP by September 24, 2018	Redcliff Public Library 1:30 p.m. – 2:30 p.m.
September 29, 2018	Redcliff Fall Festival	To be announced
Tuesday October 9, 2018	Council Meeting	Town Hall Council Chambers 7:00 p.m.
October 22, 2018	Council Meeting	Town Hall Council Chambers 7:00 p.m.
October 31, 2018	2019 Budget Review	Town Hall Council Chambers 8:30 a.m. to 5:00 p.m.
November 3, 2018	2019 Budget Review	Town Hall Council Chambers 8:30 a.m. to 5:00 p.m.