

## **AGENDA**

SPECIAL MEETING OF THE COUNCIL OF THE VILLAGE OF LONGVIEW  
In the Province of Alberta, held on Wednesday June 6, 2018 at  
Village of Longview Council Chambers Commencing at 6:30 p.m.

1.0 **CALL TO ORDER**

2.0 **AGENDA**

3.0 **BUSINESS**

- 3.1 Public Participation Policy
- 3.2 Bylaw 410-18 Draft Public Notification
- 3.3 Bylaw 412-18 Council Code of Conduct
- 3.4 Bylaw 411-18 Tax Instalment Payment Plan
- 3.5 Bylaw 405-17 Community Standards Bylaw

4.0 **ADJOURNMENT**



# VILLAGE OF LONGVIEW POLICY

## Draft

<b>Department: Council</b>		<b>Policy No: 5-01-18</b>
<b>Title: REGARDING PUBLIC PARTICIPATION</b>		
<b>Effective Date:</b> June 19, 2018	<b>Approval Date:</b> June 19, 2018	<b>Amendment Date(s):</b>
<b>Reference:</b>	<b>Bylaw No:</b>  <b>Section:</b>	<b>R.S.A. Statute:</b>  <b>Chapter:           Section:</b>
<b>Purpose:</b>  <b>To establish a policy for public participation within the Village of Longview.</b>		

### PURPOSE AND APPLICATION

In accordance with Section 216.1 of the *Municipal Government Act*, this Public Participation Policy has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public.

This Public Participation Policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act*.

### GENERAL POLICY PRINCIPLES

Council recognizes that good governance includes engaging Municipal Stakeholders in Public Participation by:

- 1) Creating opportunities for Municipal Stakeholders who are affected by a decision to influence the decision;
- 2) Promoting sustainable decisions by recognizing various Municipal Stakeholder interests;
- 3) Providing Municipal Stakeholders with the appropriate information and tools to engage in meaningful participation; and
- 4) Recognizing that although councilors are elected to consider and promote the welfare and interest of the Municipality as a whole and are generally required to vote on matters brought before Council, facilitating Public Participation for matters beyond those where public input is statutorily required can enrich the decision making process.

## **DEFINITIONS**

- 1) “CAO” means the chief administrative officer of the Municipality or their delegate.
- 2) “Municipal Stakeholders” means the residents of the Municipality, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Municipality.
- 3) “Municipality” means the Village of Longview
- 4) “Public Participation” includes a variety of non-statutory opportunities where Municipal Stakeholders receive information and/or provide input to the Municipality.
- 5) “Public Participation Plan” means a plan which identifies which Public Participation Tools to be used to obtain public input in a particular circumstance.
- 6) “Public Participation Tools” means the tools that may be used, alone or in combination, to create Public Participation opportunities including, but not limited to:
  - a) in-person participation which may include at-the-counter interactions, door-knocking, interviews, meetings, round-tables, town halls, open houses and workshops;
  - b) digital participation which may include online workbooks, chat groups, webinars, message boards/discussion forums, and online polls or surveys;
  - c) written participation which may include written submissions, email, and mail-in surveys, polls and workbooks; and
  - d) representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board.

## **POLICY RESPONSIBILITIES**

### **1) Council Responsibilities**

- a) Council shall:
  - i. review and approve Public Participation Plans developed by the CAO in accordance with this Policy or as directed by Council;
  - ii. consider input obtained through Public Participation; and
  - iii. review this Policy to ensure the Policy complies with all relevant legislation, municipal policies and the spirit and intent of Public Participation.
  - iv. ensure appropriate resources are available to solicit Public Participation in accordance with this Policy;
  - v. promote and support Public Participation;

- vi. request and review information from the CAO on the scope, timing, appropriate methods and resources required for Public Participation prior to directing the development of a Public Participation Plan.

## **2) Administration Responsibilities**

- a) CAO shall:
  - i. in accordance with this Policy or as directed by Council, develop Public Participation Plans, for Council approval;
  - ii. implement approved Public Participation Plans; and
  - iii. report the findings of the Public Participation to Council.
  - iv. consider timing, resources and engagement when developing and modifying Public Participation Plans;
  - v. evaluate the effectiveness of the Public Participation Plan and the Public Participation Tools used in a particular circumstance;
  - vi. communicate to Council and the public, when appropriate, the effectiveness of a Public Participation Plan and the Public Participation Tools used;
  - vii. develop the necessary procedures to implement this Policy;
  - viii. assess this Policy and make recommendations to Council about the Public Participation and resourcing;

## **PUBLIC PARTICIPATION OPPORTUNITIES**

- 1) CAO shall develop and implement a Public Participation Plan in the following circumstances:
  - a) when new programs or services are being established;
  - b) when existing programs and services are being reviewed;
  - c) when identifying Council priorities;
  - d) when gathering input or formulating recommendations with respect to budget;
  - e) when gathering input or formulating recommendations with respect to the Municipality's strategic plans or business plans;
  - f) when gathering input or formulating recommendations with respect to the Municipality's capital plan and/or financial plan; or
  - g) as otherwise directed by Council.

## **POLICY EXPECTATIONS**

### **1) Legislative and Policy Implications**

- a) All Public Participation will be undertaken in accordance with the *Municipal Government Act*, the *Freedom of Information and Protection of Privacy Act* and any other applicable legislation.
  - i. All Public Participation will be undertaken in accordance with all existing municipal policies.
  - ii. This Policy shall be available for public inspection and may be posted to the Municipality's website.
  - iii. This Policy will be reviewed at least once every four years.

### **2) Public Participation Standards**

- a) Public Participation will be conducted in a sustainable and inclusive manner having regard to different levels of accessibility.
- b) Public Participation activities will be conducted in a professional and respectful manner.
- c) Public Participation plans will consider early, ongoing and diverse opportunities to provide input.
- d) Municipal Stakeholders who participate in any manner of Public Participation are required to be respectful and constructive in their participation. Municipal Stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public Participation opportunities.
- e) The results of Public Participation will be made available to Council and Municipal Stakeholders in a timely manner in accordance with municipal policies.

## **PUBLIC PARTICIPATION PLANS**

- 1) When so directed by this Policy or Council, the CAO shall develop a Public Participation Plan for approval by Council which shall consider the following:
  - a) the nature of the matter for which Public Participation is being sought;
  - b) the impact of the matter on Municipal Stakeholders;
  - c) the demographics of potential Municipal Stakeholders in respect of which Public Participation Tools to utilize, level of engagement and time for input;
  - d) the timing of the decision and time required to gather input;
  - e) what information is required, if any, to participate; and
  - f) available resources and reasonable costs.

- 2) Public Participation Plans will, at minimum, include the following:
  - a) a communication plan to inform the public about the Public Participation plan and opportunities to provide input;
  - b) identification of which Public Participation Tools will be utilized;
  - c) timelines for participation;
  - d) information about how input will be used;
  - e) the location of information required, if any, to inform the specific Public Participation.

## **REPORTING AND EVALUATION**

- 1) Information obtained in Public Participation will be reviewed by [insert CAO title] and a report shall be provided to Council.
- 2) The report shall include, at minimum, the following:
  - a) an overview of the Public Participation Plan and how it was developed;
  - b) an assessment of the effectiveness of the plan based on the level of engagement and the quality of input;
  - c) a summary of the input obtained; and
  - d) may include recommendations for future Public Participation Plans.
- 3) Reports shall be provided to Council for review.

**VILLAGE OF LONGVIEW**

**BYLAW 409-18 – PUBLIC NOTIFICATION BYLAW**

**A BYLAW TO ESTABLISH ALTERNATE METHODS FOR ADVERTISING STATUTORY NOTICES**

WHEREAS, pursuant to section 606 of the *Municipal Government Act*, a council must give notice of certain bylaws, resolutions, meetings, public hearings or other things by advertising in a newspaper or other publication circulating in the area, mailing or delivering a notice to every residence in the affected area or by another method provided for in a bylaw under section 606.1;

AND WHEREAS, pursuant to section 606.1(1) of the *Municipal Government Act*, a council may, by bylaw, provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606;

AND WHEREAS Council is satisfied that the advertising method set out in this Bylaw is likely to bring matters advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates or in which the meeting or hearing is to be held;

NOW THEREFORE the Council of the Village of Longview, in the Province of Alberta, duly assembled, enacts as follows:

**Short Title**

1. This Bylaw may be referred to as the Public Notification Bylaw.

**Advertising Method**

2. Any notice required to be advertised under section 606 of the *Municipal Government Act* of a bylaw, resolution, meeting, public hearing or other thing may be given, in accordance with the timelines prescribed in section 606,

a) electronically by posting the notice prominently on the Village of Longview’s official website.

and

b) electronically by posting the notice prominently on any of the Village of Longview’s official social media sites.

and

c) by posting the notice prominently on the bulletin board provided for that purpose in the hall of the Village Office.

or

d) by posting the notice prominently on roadside signage located at the Long view Community Hall.

\_\_\_\_\_ Mayor      \_\_\_\_\_ CAO

**VILLAGE OF LONGVIEW**

**BYLAW 409-18 – PUBLIC NOTIFICATION BYLAW**

**THIS BYLAW** comes into full force and effect upon third and final reading.

**READ** a first and second time this 19th day of June A.D. 2018.

**UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED**, a third reading of this bylaw shall be held at the regular meeting of Council of the Village of Longview this 19th day of June A.D. 2018

**UPON MOTION DULY MADE AND CARRIED, READ** a third time this 19th day of June A.D. 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



**VILLAGE OF LONGVIEW**

**Bylaw 412-18 - Council Code of Conduct**

**A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL and COUNCIL COMMITTEE MEMBERS.**

**WHEREAS**, pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by bylaw, establish a code of conduct governing the conduct of councilors;

**AND WHEREAS**, pursuant to section 146.1(3) of the *Municipal Government Act*, a council may, by bylaw, establish a code of conduct governing the conduct of members of council committees and other bodies established by the council who are not councilors; [

**AND WHEREAS**, pursuant to section 153 of the *Municipal Government Act*, councilors have a duty to adhere to the code of conduct established by the council;

**AND WHEREAS** the public is entitled to expect the highest standards of conduct from the members that it elects to council for the Village of Longview;

**AND WHEREAS** the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government;

**AND WHEREAS** a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councilors;

**NOW THEREFORE** the Council of the Village of Longview, in the Province of Alberta, duly assembled, enacts as follows:

**TITLE**

1. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".

**DEFINITIONS**

2. In this Bylaw, words have the meanings set out in the Act, except that:
  - (a) "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, and associated regulations, as amended;
  - (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
  - (c) CAO means the chief administrative officer of the Municipality, or their delegate;

- (d) "FOIP" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- (e) "Investigator" means Council or the individual or body established by Council to investigate and report on complaints;
- (f) "Member" means a member of Council and includes a councilor or Mayor and includes members of council committees or other bodies established by Council who are not councilors or the Mayor;
- (g) "Municipality" means the municipal corporation of the Village of Longview.

### **PURPOSE AND APPLICATION**

- 3. The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards.

### **REPRESENTING THE MUNICIPALITY**

- 4. Members shall:
  - (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
  - (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
  - (c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and
  - (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.

### **COMMUNICATING ON BEHALF OF THE MUNICIPALITY**

- 5. A Member must not claim to speak on behalf of Council unless authorized to do so.
- 6. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor/Reeve it is the Deputy Mayor/Deputy Reeve. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 7. A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.
- 8. No Member shall make a statement when they know that statement is false.

9. No Member shall make a statement with the intent to mislead Council or members of the public.

### **RESPECTING THE DECISION-MAKING PROCESS**

10. Decision making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
11. Members shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in an in-camera session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
12. Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

### **ADHERENCE TO POLICIES, PROCEDURES AND BYLAWS**

13. Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
14. Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
15. A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

### **RESPECTFUL INTERACTIONS WITH COUNCIL MEMBERS, STAFF, THE PUBLIC AND OTHERS**

16. Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
17. Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
18. No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public.

19. No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
20. Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.
21. Members must not:
  - (a) involve themselves in matters of Administration, which fall within the jurisdiction of the CAO;
  - (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
  - (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

#### **CONFIDENTIAL INFORMATION**

22. Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
23. Members shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so.
24. No Member shall use confidential information for personal benefit or for the benefit of any other individual organization.
25. In the course of their duties, Members may also become privy to confidential information received outside of an "in-camera" meeting. Members must not:
  - (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;
  - (b) access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
  - (c) use confidential information for personal benefit or for the benefit of any other individual or organization.

26. Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:

- (a) the security of the property of the Municipality;
- (b) a proposed or pending acquisition or disposition of land or other property;
- (c) a tender that has or will be issued but has not been awarded;
- (d) contract negotiations;
- (e) employment and labour relations;
- (f) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
- (g) law enforcement matters;
- (h) litigation or potential litigation, including matters before administrative tribunals; and
- (i) advice that is subject to solicitor-client privilege.

### **CONFLICTS OF INTEREST**

27. Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.

28. Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.

29. Members shall approach decision-making with an open mind that is capable of persuasion.

30. It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

### **IMPROPER USE OF INFLUENCE**

31. No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.

32. No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
33. Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
34. Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

#### **USE OF MUNICIPAL ASSETS AND SERVICES**

35. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
  - (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges;
  - (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not for personal gain, offensive or inappropriate.

#### **ORIENTATION AND OTHER TRAINING ATTENDANCE**

36. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.
37. Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.

#### **REMUNERATION AND EXPENSES**

38. Members are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.
39. Members shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

## **GIFTS AND HOSPITALITY**

40. Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
41. Members may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the hospitality, gift or benefit does not exceed \$100.00
42. Gifts received by a Member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

## **ELECTION CAMPAIGNS**

43. No Member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

## **INFORMAL COMPLAINT PROCESS**

44. Any person who has identified or witnessed conduct by a Member that person reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
  - (a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop,
  - (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.
45. Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

## **FORMAL COMPLAINT PROCESS**

46. Any person who has identified or witnessed conduct by a Member that the person reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
  - (a) All complaints shall be made in writing and shall be dated and signed by an identifiable individual;
  - (b) All complaints shall be addressed to the Investigator;

- (c) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
- (d) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator;
- (e) Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
- (f) If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- (g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- (h) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- (i) A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

## **COMPLIANCE AND ENFORCEMENT**

- 47. Members shall uphold the letter and the spirit and intent of this Bylaw.
- 48. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 49. No Member shall:
  - (a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
  - (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 50. Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:



- (a) a letter of reprimand addressed to the Member;
- (b) requesting the Member to issue a letter of apology;
- (c) publication of a letter of reprimand or request for apology and the Member's response;
- (d) suspension or removal of the appointment of a Member as the chief elected official under section 150(2) of the Act;
- (e) suspension or removal of the appointment of a Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
- (f) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- (g) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
- (h) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
- (i) any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Member from fulfilling the legislated duties of a councilor and the sanction is not contrary to the Act.

## **REVIEW**

51. This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

**THIS BYLAW** comes into full force and effect upon third and final reading.

**READ** a first and second time this 19th day of June A.D. 2018.

**UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED**, a third reading of this bylaw shall be held at the regular meeting of Council of the Village of Longview this 19th day of June A.D. 2018

**UPON MOTION DULY MADE AND CARRIED, READ** a third time this 19th day of June A.D. 2018

---

MAYOR

---

CHIEF ADMINISTRATIVE OFFICER

VILLAGE OF LONGVIEW

## Bylaw 411-18 - Tax Instalment Payment Plan (TIPP)

### BEING A BYLAW OF THE VILLAGE OF LONGVIEW IN THE PROVINCE OF ALBERTA FOR THE IMPLEMENTATION OF A TAX INSTALMENT PAYMENT PLAN

**WHEREAS** Council wishes to provide for the payment of taxes by instalment;

**NOW THEREFORE** pursuant to and under authority of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto, the Council of the Village of Longview, in the Province of Alberta, duly assembled, enacts as follows;

1. This Bylaw may be cited as the "TIPP Bylaw".
2. In this Bylaw:
  - a) "Taxes" includes all property taxes, local improvement taxes, and all other taxes, charges, fees or amounts lawfully imposed against a property pursuant to the Municipal Government Act or any other statute of the Province of Alberta.
  - b) "Tax Instalment Payment Plan", also referred to as "TIPP", means the plan authorized by this bylaw permitting Taxpayers to pay taxes by way of monthly instalments.
  - c) "Taxpayer" means the person liable to pay taxes on a property pursuant to the Municipal Government Act.
3. Taxpayers may apply to enter into a Tax Instalment Payment Plan to provide for the payment of annual tax levies in monthly instalments.
4. A Taxpayer may not apply for inclusion in TIPP twice in the same calendar year with respect to the same property.
5. The Plan shall commence on January 1<sup>st</sup> of each year, provided that all property taxes, local improvement taxes, tax arrears and penalties are fully paid on or before December 31<sup>st</sup> of the previous year.
6. The Taxpayer shall provide six (6) cheques, dated on or before the 15<sup>th</sup> of each month for the months January to June, in the amount of the previous years' tax levy plus any local improvement levies divided by twelve (12) months. The Taxpayer shall also provide six (6) cheques, dated on or before the 15<sup>th</sup> of each month for the months July to December, in the amount of the current years' tax levy plus any local improvement levies less payments made to the end of June divided by six (6) months. In any event all taxes must be paid on or before December 31<sup>st</sup> of the current year.

Alternative Payment Method: The Taxpayer may sign up for a monthly automatic debit from their account with the Jan-June payment rate established on previous years' tax levy. The July to December in the amount of the current years' tax levy plus any local improvement levies less payments made to the end of June divided by six (6) months.

In any event all taxes must be paid on or before December 31<sup>st</sup> of the current year. The auto debit would be withdrawn from the account provide once a month on date determined by administration.

7. In the event a property has been transferred the purchaser of the property may:
  - a) assume the previous Taxpayer's remaining TIPP payments, if the previous Taxpayer participated in TIPP, or
  - b) may immediately pay a proportionate amount of taxes for the current year and then begin monthly payments, if the previous Taxpayer did not participate in TIPP.
8. The provisions of the bylaw imposing penalties on unpaid property taxes shall not apply to those tax rolls that are being paid through instalment.
9. The Chief Administrative Officer may remove a Taxpayer from TIPP if the Taxpayer fails to make payment of each tax instalment.
10. Notice of removal shall be sent to the Taxpayer by ordinary mail to the Taxpayer's last known address as listed on the tax roll.
11. When a Taxpayer is removed from TIPP subsequent to the due date for the payment of taxes all unpaid property taxes become immediately due and payable and the provisions of the tax penalty bylaw apply immediately to all unpaid taxes.
12. In the event a Taxpayer requests removal from TIPP, all post-dated cheques shall be immediately returned or destroyed at the direction of the Taxpayer, and all Taxes due and owing shall then become due and owing on the due date for the payment of taxes, and the provisions of the tax penalty bylaw may apply.
13. Bylaw 393-17 is hereby rescinded.

**THIS BYLAW** comes into full force and effect upon third and final reading.

**READ** a first, second and third time this 19<sup>th</sup> day of June, 2018 A.D.

---

MAYOR

---

CHIEF ADMINISTRATIVE OFFICER

VILLAGE OF LONGVIEW

**Bylaw 405-17 – Community Standards**

**BEING A BYLAW OF THE VILLAGE OF LONGVIEW IN THE PROVINCE OF ALBERTA FOR THE PURPOSES OF ESTABLISHING COMMUNITY STANDARDS TO REGULATE NEIGHBOURHOOD NUISANCE, SAFETY AND LIVEABILITY ISSUES**

**WHEREAS** pursuant to the *Municipal Government Act*, being Chapter M-26, R.S.A. 2000, and amendments thereto, authorizes a municipality to pass bylaws respecting the safety, health and welfare of people and protection of people and property;

**AND WHEREAS** the *Municipal Government Act* authorizes a municipality to pass bylaws respecting nuisances, including unsightly property;

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

**AND WHEREAS** it is desirable to regulate certain activities within the Village for the health, safety, and welfare of people and property;

**NOW THEREFORE** the Council of the Village of Longview, duly assembled, enacts as follows:

**PART 1. INTERPRETATION**

TITLE

1. This Bylaw may be cited as the “Community Standards Bylaw.”

DEFINITIONS

2. In this Bylaw:
  - a. “Automobile Parts” includes, but is not limited to, any vehicle or part or collection of vehicles parts, or one or more vehicles that are dilapidated, derelict or not in operable condition;
  - b. "Boulevard" means the strip of land between the curb and the Sidewalk and between the Sidewalk and the property line, or where there is no Sidewalk, the strip of land between the curb and the property line. Where there is no curb the meaning shall be extended to include the strip of land between the near edge of the Roadway and the property line.
  - c. “Building” includes a structure or anything constructed or placed on, in, over or under land but does not include a highway, road, or bridge forming part of a highway or road;

- d. "Construction" means the temporary process of demolishing or building any structure, or repairing or improving a building that already exists, including landscaping, home repair, property improvement and any work in connection with that process;
- e. "Continuous Sound" means any sound that occurs:
  - i. for a continuous duration of more than three (3) minutes; or
  - ii. sporadically for a total of more than three (3) minutes in any continuous fifteen (15) minutes time period;
- f. "Council" means the Council of the Village of Longview;
- g. "Day-time" means the period:
  - i. beginning at 7:00 A.M. and ending at 10:00 P.M. of the same day on weekdays; or
  - ii. beginning at 9:00 A.M. and ending at 10:00 P.M. of the same day on weekends or holidays;
- h. "Dispose" means discharging, dumping, placing, throwing, dropping, discarding abandoning, spilling, leaking, pouring, emitting, emptying, or any two or more of them.
- i. "Encroachment" means the use of any portion of the Street and includes the airspace over such Street and any area beneath the surface of the Street.
- j. "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place or any part of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
  - i. a sidewalk, including a boulevard adjacent to the sidewalk;
  - ii. if a ditch lies adjacent to and parallel with the roadway, the ditch; and,
  - iii. if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be;but does not include a place declared by regulation not to be a highway;
- k. "Holiday" means any statutory holiday as defined in the *Interpretation Act of Alberta*;
- l. "Landowner" includes an occupier, tenant, a person in control of property, and the person shown as the owner of the property on the Land Title for that property;
- m. "Litter" means any solid or liquid material or product or combination of solid or liquid materials or product including, but not limited to:

- a) any rubbish, refuse, garbage, paper, package, container, bottle, can, manure, human or animal excrement, or the whole or part of an animal carcass or offal, coal, wood, gravel, earth, sawdust, glass, or like material, plastic, nails, staples, tacks, scraps of metal, expended tobacco products; or
  - b) the whole or part of any article, raw or processed material, vehicle or machinery of any type that is disposed of.
- n. "Material" means any object or article, animal waste, ashes, building waste, dry refuse, garbage, industrial chemical waste, refuse and yard waste as defined and includes sand, gravel, earth and building products.
- o. "Motorized Garden Tool" means any tool used for horticulture that is powered by an electric or internal combustion engine of any kind;
- p. "Natural Forces" includes:
- a) rain, snow melt, and
  - b) water from hoses or other mechanical or human action;
- q. "Night-time" means the period beginning at 10:00 P.M. and ending the following day at:
- i. 7:00 A.M. if the following day is a weekday; or
  - ii. 9:00 A.M. if the following day is a weekend or holiday;
- r. "Noise" means any loud, unnecessary or unusual sound or any sound whatsoever which, in the opinion of an Officer in his sole discretion, having regard for all circumstances, including the time of day, and the nature of the activity generating the sound, is likely to unreasonably annoy, disturb, injure or detract from the comfort, repose, health, peace or safety of any Person within the limits of the Village;
- s. "Nuisance" means any condition or use of Premises which, in the opinion of an Officer, constitutes an unreasonably interference with the use and enjoyment of other Premises;
- t. "Off-Highway Vehicles" has the same meaning as in the *Traffic Safety Act* as amended or repealed and replaced from time to time;
- u. "Officer" means the Chief Administrative Officer, a Bylaw Enforcement Officer, a Community Peace Officer or a member of the RCMP who is authorized to enforce bylaws or for the purpose of inspection and enforcement under this Bylaw. An Officer is a designated Officer of the Municipality;
- v. "Outdoor Speaker System" means any sound amplification device that converts electrical impulses into sound, whether the device is independent or incorporated into a radio, stereo, television, public address or other system, which is used for general listening purposes and positioned:
- i. outside of a building;

- ii. inside of a building and within two (2) metres of any opening in the building including a window or doorway, where it is directed outside of the building; or
  - iii. in a tent;
- w. “Owner” of a property or premises means:
- i. a Person who is registered under the *Land Titles Act* as the owner of the land;
  - ii. a Person who is recorded as the assessed person on the tax assessment roll of the Village;
  - iii. a Person who has purchased or otherwise acquired the land, whether he has purchased or otherwise acquired the land directly from the owner or from another purchaser and had not yet become the registered owner thereof;
  - iv. a Person holding himself out as the person having the powers and authority of ownership of the property or Premises or who for the time being exercises the powers of authority and ownership;
  - v. a Person controlling the property or Premises under construction; or
  - vi. a Person who is the occupant of the property or Premises pursuant to a lease agreement, license or permit;
- x. “Peace Officer” means any member of the Royal Canadian Mounted Police, a Peace Officer of the Village, a Designated Bylaw Officer, or any other peace officer sworn in by the Province of Alberta;
- y. “Person” includes a corporation, other legal entities and an individual having charge or control of a premises;
- z. “Power Tool” includes any tool powered by an engine, motor or compressed air;
- aa. “Premises” includes the external surfaces of all buildings and the whole or part of any parcel of real property, including land immediately adjacent to any building or buildings, situated in whole or in part within the Village and includes any buildings owned or leased by the Village;
- bb. “Public Place” means any highway, street, sidewalk, lane, alley, park, school ground, playground, business, facility, or any public owned property within the Village;
- cc. “Receptacle” means a container that is placed to provide for the collection of Litter.
- dd. “Remedial Order” means an order written pursuant to Section 545 or 546 of the *Municipal Government Act*, as amended or replaced from time to time;
- ee. “Residential Development” includes lands in Districts defined as Residential Districts in the Land Use Bylaw;

- ff. “Roadway” means that portion of the Street set aside for the specific use of the general public for the passage of vehicles but does not include any privately or publicly owned area primarily intended to be used for the parking of vehicles and the necessary passageways on that area.
- gg. “Sidewalk” means that portion of a Street set aside for the use of and ordinarily used by pedestrians, whether or not the surface of such portion is covered with gravel, concrete, asphalt, or other type of paving.
- hh. “Signaling Device” means a horn, gong, bell, klaxon, or other device producing an audible sound for the purpose of drawing a person’s attention to an approaching vehicle, including a bicycle;
- ii. “Street” means any thoroughfare, highway, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
  - i. a Sidewalk (including a Boulevard portion thereof),
  - ii. where a ditch lies adjacent to and parallel with the Roadway, the ditch, and
  - iii. where a Street is contained between fences or between a fence and one side of the Roadway, all the land between the fences, or all the land between the fence and the edge of the Roadway, as the case maybe;
- jj. “Structure” means a building, garage, shed, fence or other improvement erected or placed in, on, over or under land, whether or not it is affixed to the land;
- kk. “Ticket” means any ticket which is authorized by the *Municipal Government Act* or under the *Provincial Offences Procedures Act*, and any amendments thereto, issued for any bylaw offence in which a penalty must be paid out of court in lieu of appearing to answer to a summons;
- ll. “Truck” means any vehicle that has a gross allowable maximum weight in excess of 5450 kilograms as listed on the official registration certificate issued by the Government of the Province of Alberta, or on any other official registration document issued by any other government body, regardless of the vehicles actual weight at a specific time, and includes a truck-tractor and tractor-trailer, but does not include a Concrete Mixer or Garbage Truck;
- mm. “Unsightly Premises” means any Premises whether land, buildings, improvements to land or buildings, personal property or any combination of the above, located on the lands within the Village, in the opinion of an Officer, is unsightly to such a degree as to detrimentally affect the repose, amenities, use, value or enjoyment of the surrounding lands in reasonable proximity to the Unsightly Premises, or as otherwise detrimental to



the surrounding area or in an unsightly condition as defined in the *Municipal Government Act*;

- nn. "Vacant Lot" means any lot on which no place of residence is located, this does not include those lots where the residence of the property owner is located on an adjacent lot;
- oo. "Vehicle" means a device in, upon or by which a person or thing may be transported or drawn upon a Street, and includes a trailer so designed that it may be attached to or drawn by a motor vehicle or tractor and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and includes any type of machinery, tractor, or such like.
- pp. "Village" means the Village of Longview, a municipal corporation in the Province of Alberta and where the context so requires means the area within the corporate boundaries of the said municipality;
- qq. "Village CAO" means the Chief Administrative Officer of the Village as appointed by Bylaw, and anyone authorized by the Village CAO;
- rr. "Violation Ticket" means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*;
- ss. "Walkway" means a right-of-way set aside for the use of and ordinarily used for pedestrian travel of the general public, whether publicly or privately owned and includes a Sidewalk (and Boulevard portion thereof).
- tt. "Weekday" means Monday through Friday, inclusive, unless the day is a holiday, as defined in the *Interpretation Act*;
- uu. "Weekend" means Saturday and Sunday or any other holiday as defined in the *Interpretation Act*.
- vv. "Work Forces" means Village employees and/or contract workers employed by the Village.

## **PART 2 NOISE**

### GENERAL PROVISIONS

3. No person shall in either Day-time or Night-time:
  - a. make, continue, cause, or allow to be made or continued any excessive, unnecessary, or unusual Noise of any type;
  - b. allow or permit any real or personal property that is owned, occupied or controlled by that Person to be used in any way that allows excessive, unnecessary, or unusual Noise of any type to emanate from such property;
  - c. operate, allow or permit the operation of a speaker system of any type at an unnecessarily loud volume, thereby creating excessive noise;
  - d. operate a motorized vehicle, including Off-Highway Vehicles, if the exhaust muffler is cut out, disconnected or has had the baffle plate or other parts removed.
4. Except as authorized pursuant to this Bylaw, no owner or occupier of a Premises shall make or cause or allow to be made or continue any noise which emanates from the Premises and disturbs or annoys a Person, including any loud outcry, clamour, shouting, movement, music or activity.

### ACTIVITIES IN RESIDENTIAL DEVELOPMENTS

5. No Person shall operate:
  - a. a lawn mower;
  - b. a Motorized Garden Tool;
  - c. a Power Tool outside of any building or structure;
  - d. a model aircraft driven by an internal combustion engine of any kind;
  - e. a snow clearing device powered by an engine of any kind;
  - f. a motorized snow or leaf blowing device;
  - g. any other motorized device which may cause a disturbing noise;

in a Residential Development during the Night-time.
6. A Person who owns, occupies or controls a Truck, as defined in this Bylaw, or School Bus must not at any time allow it to remain running for longer than twenty (20) minutes when it is stationary in a Residential Development or within 150 metres of a Residential Development.

## VEHICLE NOISES

7. Except as authorized, no Person shall permit a vehicle located on a Premises to emit noise which emanates from that Premise and disturbs or annoys any Person, including noises from excessive engine revving and stereo and amplification equipment in the vehicle. For the purposes of this section of the Bylaw, a vehicle includes a Vehicle and Off-Highway Vehicle, but does not include tractors or other vehicle operated in the maintenance of property.
8. If a vehicle is involved in an offence referred to in Section 7 the registered owner of that vehicle is guilty of an offence.

## OUTDOOR SPEAKER SYSTEMS

9. No person shall operate an Outdoor Speaker System on a parcel where a property line of the parcel is within 150 metres of a Residential Development during the period beginning at 10:00 P.M. and ending at 7:00 A.M. the following day.

## EXEMPTIONS

10. The provisions of this Part do not apply to:
  - a. emergency vehicles;
  - b. construction in Residential Developments during the Day-time, whether or not the Construction requires any municipal permits;
  - c. work on a municipal street or on a public utility carried out by the owner or operator of the public utility, or its contractors;
  - d. any activity within the sole jurisdiction of the Government of Canada or the Province of Alberta;
  - e. work performed in relation to a highway or public utility by the owner or operator of the public utility, or its contractors;
  - f. activities or events exempted under the Land Use Bylaw;
  - g. work or activities deemed to be an emergency.
11. The provisions of this Part must not be interpreted to prevent:
  - a. the ringing of bells in churches, religious establishments, and schools;
  - b. the use of signalling devices of Vehicles in their normal operation for the purpose of giving warning to other drivers or pedestrians;
  - c. the sounding of any alarm or warning to announce a fire or other emergency;
  - d. the playing of a band or other activities related to a lawful parade, event, or public demonstration.

## PERMITS

12. A Person may make application to the Village CAO for the temporary allowance of noise that would otherwise violate this Bylaw.
13. The application made pursuant to Section 12 must contain the following information:
  - a. the name, address and telephone number of the applicant;
  - b. the address of the site;
  - c. a description of the source of the noise;
  - d. the period of time that the exemption is desired.
14. An Officer may, in his sole discretion:
  - a. waive any requirement of Section 13;
  - b. issue a temporary allowance where it is determined that circumstances make it impractical for the applicant to comply with this Bylaw;
  - c. revoke any temporary allowance that has been issued if the Officer determines that the applicant has not taken sufficient measures to minimize noise;
  - d. impose any conditions on the issuance of the allowance that the Officer considers appropriate.

## **PART 3 NUISANCES & UNSIGHTLY PREMISES**

### NUISANCES

15. An owner or occupier of a Premise shall not cause or allow that property or the use of that property to constitute a Nuisance.
16. "Nuisance" for the purpose of this Part, includes any use of or activity upon a property which is offensive in the opinion of an Officer, or has or may have a detrimental impact upon any person or other property in the neighbourhood, and without limiting the generality of the foregoing, includes the following
  - a. 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 or unsightly condition;
  - b. drawing, painting, or writing or any signs or message upon public or private property except with the prior permission of the owner of the property;
  - c. the whole or any part of more than one unregistered vehicles which are inoperative by reason of disrepair, removed parts or missing equipment;

- d. equipment or machinery that has been rendered inoperative by reason of disassembly, age or mechanical condition;
  - e. the flow of water from hose, eavestrough, downspout, or similar device on the premise directed towards adjacent premises if it is likely that the water from the hose, eavestrough, downspout, or similar device will enter the adjacent premises;
  - f. the open or exposed storage on the premise of any industrial fluid, including engine oil, brake fluid, or antifreeze, or any other hazardous materials;
  - g. the whole or part of an animal carcass, manure, animal or human excrement, sewage, or any other biological waste;
  - h. the creation of smoke, dust or other airborne matter without taking reasonable precautions that the matter does not escape the Premises;
  - i. the shining of an outdoor light directly into the living or sleeping areas of an adjacent Premise.
17. No person shall place, deposit, throw, or cause to be placed, deposited or thrown upon any village property, including any street, lane, sidewalk, parking lot, park, or other public place:
- a. a cardboard or wooden box, carton, container, or receptacle of any kind;
  - b. a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionary;
  - c. paper of any kind, whether or not containing written or printed matter thereon;
  - d. any human, animal, or vegetable matter or waste;
  - e. any glass, crockery, nails, tacks, barbed wire or other breakable or sharp objects;
  - f. scrap metal, scrap lumber, tires, dismantled or wrecked or dilapidated motor vehicles or parts there from;
  - g. any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, bi-way or other public place;
  - h. dirt, filth, or rubbish of any kind whether similar or dissimilar to the foregoing.
18. A person who has placed, deposited or thrown or caused to be placed or thrown anything or any matter mentioned in Section 17 upon any street lane, sidewalk, parking place, park, or other public place shall forthwith remove it.
19. Notwithstanding Section 17.d, the accumulation of manure or other animal waste on a property used for agricultural purposes shall not constitute a nuisance under this Bylaw, conditional to it not adversely affecting the quality of life or health of the neighbouring parties.

## UNSIGHTLY PREMISES

20. An owner or occupier of a Premise shall not cause or allow that property to be an Unsightly Premise.
21. "Unsightly Premise" for the purpose of this Part, includes, but is not limited to:
- a. the accumulation of rubbish, refuse, garbage, papers, packages, containers, bottles, cans, dirt, soil, gravel, rocks, sod, broken household furniture, chattels or goods, boxes, cartons, discarded fabrics, and the like;
  - b. uncut grass or the presence of weeds, which in the opinion of an Officer, are excessive or which demonstrate neglect by the owner;
  - c. the accumulation of yard material, ashes, or scrap building material;
  - d. the accumulation of building materials, whether new or used, unless the owner or occupier can establish that a construction or renovation undertaking is being carried out on the premises and that the project has begun or the beginning of the work is eminent; and that the material is stacked or stored in an orderly manner;
  - e. any form of scrap, litter, trash, or waste of any kind.

## MAINTENANCE STANDARDS – RESIDENTIAL DEVELOPMENTS

22. All buildings, structures and improvements to property in the Village shall be maintained so that the:
- a. foundations;
  - b. exterior walls;
  - c. roof;
  - d. windows, including frames, shutters and awnings;
  - e. doors, including frames and awnings;
  - f. steps, sidewalks, and driveways; and
  - g. fences
- are kept in a reasonable state of repair.
23. All fixtures, improvements, renovations or additions to any building, structure or improvement of property, including, but not limited to:
- a. exterior stairs;
  - b. porches;

- c. decks;
- d. patios;
- e. landings;
- f. portable seasonal lawn furniture and accessories;
- g. gazebo;
- h. balconies; or
- i. other similar structures

shall be maintained in a reasonable state of repair.

24. All owners or occupiers of a property shall ensure that all garbage is stored in animal and weatherproof containers and are responsible for any such clean up relating to a violation of this section.

#### GRASS

25. A well maintained lawn and adjoining boulevard ensures our communities are safe, clean and attractive. Grass must be less than six inches (15 cm) tall. As a resident you are responsible for caring for and maintaining your lawn and property. This generally includes all adjacent areas such as boulevards, sidewalks, walkways, lanes and to the centre of the back alley. The best time to water your lawn is early in the morning or once it cools off in the evening. Make sure the water isn't running onto the streets or sidewalk.

#### WEEDS

26. Keep weeds under control and ensure they don't spread from your property.

Did you know:

- a. Long grass can lead to mosquito and mouse problems.
- b. Weeds spread to your neighbour's property, spoiling their property's appearance and reducing its value.
- c. People increase their use of pesticides when weeds get out of control.

#### BOULEVARD MAINTENANCE

27. Any person having occupation and control of a property, and whether such person is the owner, lessee, tenant or agent of the owner of the property, shall maintain, including but not limited to cutting the grass, on the boulevard abutting the frontage of such property and on the boulevard abutting the flankage of such property.
28. For the purposes of this Bylaw a boulevard shall be considered to be a portion of and included in the property itself.

## EXEMPTIONS

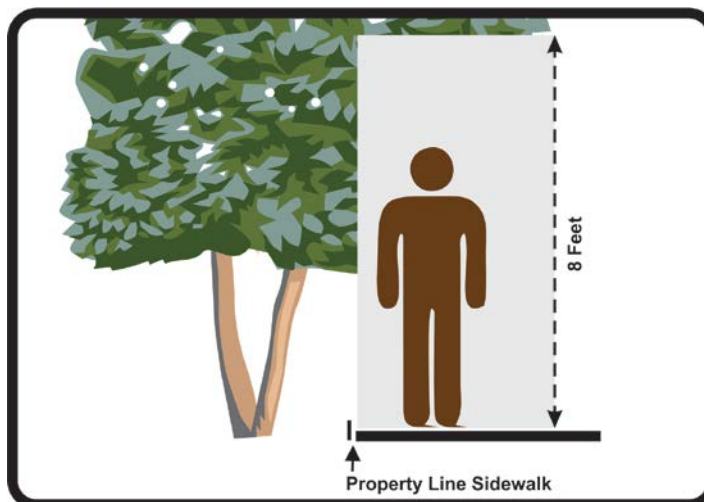
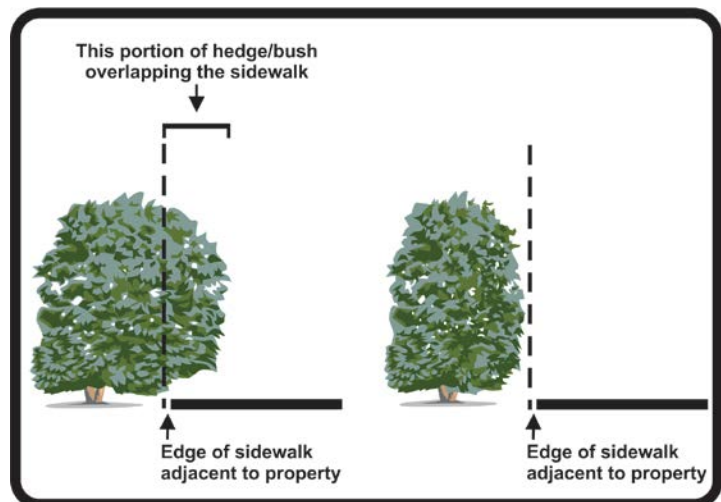
29. The provisions of this Part shall not be interpreted to prevent bona fide and permitted commercial, industrial, agricultural, construction, demolitions, renovation, landscaping, clean-up, storage or other related activities from being carried out on, or in relation to a Premise.

## GENERAL PROVISIONS

30. The Owner of a Premise that carries on, or permits the carrying on of any activities referred to in this Part of the Bylaw shall ensure that all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightliness of the Premise.
31. In accordance with Section 542 of the *Municipal Government Act*, as amended or replaced from time to time, an Officer may enter on to Lands, upon providing the Owner with reasonable notice, for the purpose of carrying out an inspection to insure compliance with the provisions of this Bylaw or enforcement of any other action that is required or authorized under this Bylaw.
32. If the Officer considers any property to be a Nuisance or Unsightly Premise, the Officer may issue a Remedial Order or a Violation Ticket, or both a Remedial Order and Violation Ticket.

## TREE, SHRUB, & HEDGE MAINTENANCE

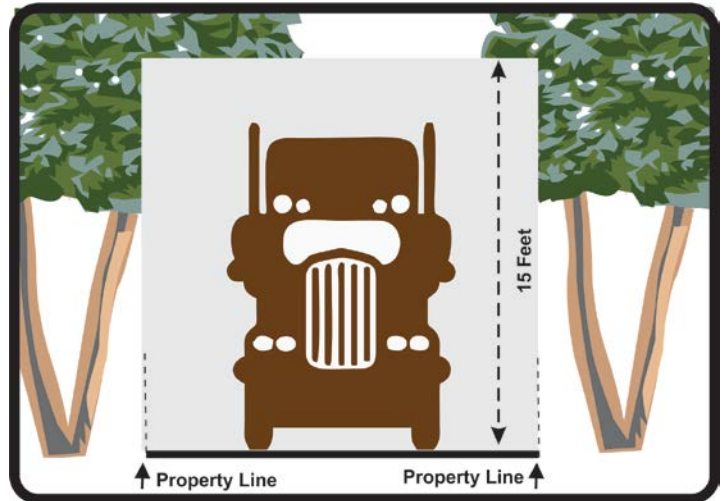
33. Property owners are responsible for the trimming of trees, shrubs, and hedges on their property to ensure that sidewalks are not encroached upon and that people utilizing the sidewalk can walk without branches encumbering their movements.



Trees that overhang sidewalks should be trimmed to eight feet directly overhead of the sidewalk and back to the property line.



Trees that overhang roadways, streets, and lanes should be trimmed to a height of no less than 15 feet to ensure that trucks, motorhomes can pass beneath them without risk of damaging either the vehicle or the tree. The trees need to be trimmed back to the property line.



#### **PART 4 REMEDIAL ORDERS**

34. Every Remedial Order written with respect to this Bylaw must comply with the *Municipal Government Act*.
35. A Remedial Order written pursuant to this Bylaw may be served personally upon the owner of the premises to which it relates, or it may be left with a Person apparently over the age of eighteen (18) years at the premises, or sent by regular mail to the address on the tax roll, or posted on the parcel in contravention of this Bylaw and the Remedial Order shall be deemed to have been served upon the expiry of three (3) days after the Remedial Order is posted.
36. Every person who fails to comply with a Remedial Order issued pursuant to this Bylaw within the time frame set out in the Remedial Order commits an offence.

#### **APPEAL OF REMEDIAL ORDERS**

37. A person to whom a Remedial Order is directed may seek a review of the Remedial Order by filing an appeal in writing to the Village CAO within fourteen (14) days of the receipt of the Remedial Order.
  - a. A person to whom a Remedial Order has been issued under Section 20 for a property considered Vacant under the definition within this Bylaw, must file their appeal within seven (7) days of receipt of the Remedial Order.
38. An appeal must state the name of the appellant, the municipal address of the property to which the Remedial Order being appealed from relates, a day-time telephone number at which the appellant may be reached, and an address at which documents in relation to the appeal may be delivered.

## **PART 5 ENFORCEMENT**

### **OBSTRUCTION**

39. No person shall resist or willfully obstruct or attempt to obstruct an Officer or a member of a Fire Department in the lawful execution of his duties.

### **OFFENCE**

40. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction, to the specified penalty for the offence as set out in Schedule "A".
41. A Peace Officer is hereby authorized and empowered to issue Violation Tickets to any person who the Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
42. A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
43. The Person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court of Alberta, on or before the initial appearance dates, the Violation Ticket together with an amount equal to the specified penalty as set out in Schedule "A".
44. When a Clerk of the Provincial Court of Alberta accepts receipt of a voluntary payment pursuant to Section D of the *Provincial Offences Procedure Act*, the act of recording the payment constitutes the acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

### **VIOLATION TICKETS AND PENALTIES**

45. Where a Peace Officer believes that a person has contravened any provision of this Bylaw, the Peace Officer may commence proceedings against the Person by issuing a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*.
46. The minimum specified penalties are outlined in Schedule "A" of this Bylaw.
47. Notwithstanding Section 37 of this Bylaw, if a person is convicted of violating the same provision of this Bylaw twice within twelve (12) months from the date of the first offence, the minimum specified penalty for the second such violation shall be double the amount set out in Schedule "A" of this Bylaw.

### **ENFORCEMENT**

48. Where a Peace Officer issues a Person a Violation Ticket in accordance with Section 42 of this Bylaw, the Peace Officer may either:

- b. allow the Person to pay the minimum specified penalty as provided in Schedule “A” of this Bylaw; or
  - c. require a Court appearance by the Person where the Officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the *Provincial Offences Procedure Act*.
49. If a Remedial Order is issued pursuant to this Bylaw, the Village may take whatever actions or measures are necessary to deal with the unsightly condition of a property in accordance with the *Municipal Government Act*, and collect any unpaid costs or expenses incurred by the Village in accordance with the Act.
50. The Village is not required to enforce this Bylaw. In deciding whether to enforce this Bylaw, the municipality may take into account any practical concerns, including available municipal budget and personnel resources.
51. The costs and expenses of the actions or measures taken by the Village may be charged in addition to any penalty imposed under this Bylaw.

#### **PART 6 GENERAL PROVISIONS**

52. The owner of any real property, as registered on title at the Land Titles Office is ultimately responsible for all activities on the property which may constitute prohibitions of this Bylaw.
53. Nothing in this Bylaw relieves a person from complying with any Federal or Provincial Law or Regulation, any other bylaw or any requirements of lawful permit, order or license.
54. 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 therefore.
55. 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.
56. All schedules attached to this Bylaw shall form part of this Bylaw.
57. This Bylaw rescinds Village of Longview Bylaws #355-13.
58. This Bylaw comes into full force and effect upon third and final reading.

**READ** a first time this 18<sup>th</sup> day of September, 2017

**READ** a second time this 18<sup>th</sup> day of September, 2017

**READ** a third time this 18<sup>th</sup> day of September, 2017

---

MAYOR

---

CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A"**

FINES

Part 2	Noise	\$250.00 \$500.00 \$1,000.00	First Offence Second Offence Third & Subsequent Offences
S. 17	Deposit Litter on Public Property	\$250.00 \$500.00 \$750.00	First Offence Second Offence Third & Subsequent Offences
S. 19	Fail to Remove Litter	\$250.00 \$500.00 \$750.00	First Offence Second Offence Third & Subsequent Offences
S. 15	Nuisance Property	\$250.00 \$500.00 \$750.00	First Offence Second Offence Third & Subsequent Offences
S. 20	Unsightly Property	\$250.00 \$500.00 \$750.00	First Offence Second Offence Third & Subsequent Offences
S. 22	Building, Structure or Improvement in Unreasonable State of Repair	\$250.00 \$500.00 \$1,000.00	First Offence Second Offence Third & Subsequent Offences
S. 23	Fixtures, Improvements, Renovations, or Additions in Unreasonable State of Repair	\$250.00 \$500.00 \$1,000.00	First Offence Second Offence Third & Subsequent Offences
S. 24	Fail to Store Garbage in an Animal and Weatherproof Container	\$250.00 \$500.00 \$1,000.00	First Offence Second Offence Third & Subsequent Offences
S. 31	Fail to Comply with Remedial Order	\$500.00 \$1,000.00 \$1,500.00	First Offence Second Offence Third & Subsequent Offences
S. 34	Obstruct a Peace Officer or a Member of a Fire Department	\$500.00 \$1,000.00 \$1,500.00	First Offence Second Offence Third & Subsequent Offences

**SCHEDULE "B"**

**REMEDIAL ORDER**

(Issued Pursuant to the *Municipal Government Act*, RSA 2000, c. M-26)

DATE:

ROLL #

NAME:

MAILING ADDRESS:

**NUISANCE & UNSIGHTLY PREMISE**

DESCRIPTION

**TAKE NOTICE THAT**

As a result of an inspection of the property located at:

Being a designated officer of the Village of Longview, having the delegated power, duties and functions for the purposes of Section 545 of the *Municipal Government Act*, I find that you are in contravention of the provisions of the Village of Longview Community Standards Bylaw.

You are hereby ordered to remedy the condition of the above property within \_\_\_\_\_ days from the date stated above.

CORRECTIVE ACTION REQUIRED

**AND TAKE ALL NECESSARY MEASURES TO PREVENT THE ABOVE CONTRAVENTION FROM OCCURRING**

Officer's Signature

Officer's Name

**PLEASE SEE REVERSE**

**IMPORTANT**

- If the required actions are not done within the time specified, the Village of Longview may carry out the work required and charge all costs thereof against the person whom the Order is directed and if such a person does not pay the costs, the costs shall be charged against the property concerned as taxes due and owing in respect of that property, and recovered as such.
- Every person who fails to comply with a Remedial Order issued pursuant to this Community Standards Bylaw within the time set out in the Remedial Order commits an offence.
- A person to whom a Remedial Order is directed may seek a review of the Remedial Order by filing for an appeal in writing to the Chief Administrative Officer within fourteen (14) days of the receipt of the Remedial Order for all Nuisances, and seven (7) days of the receipt of the Remedial Order for all Unsightly Premises by writing to:

Chief Administrative Officer  
Village of Longview  
PO Box 147  
Longview, AB T0L 1H0