

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 1**

A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO REGULATE THE CONDUCT AND ACTIVITIES OF PEOPLE ON PRIVATELY OWNED PROPERTY, IMMEDIATELY ADJACENT AREAS AND PUBLIC PROPERTY IN ORDER TO PROMOTE THE SAFE, ENJOYABLE AND REASONABLE USE OF SUCH PROPERTY FOR THE BENEFIT OF ALL CITIZENS OF MORINVILLE.

WHEREAS, pursuant to section 7 of the *Municipal Government Act*, Council may pass bylaws respecting:

- i. the safety, health, and welfare of people and the protection of people and property;
- ii. nuisances, including unsightly property;
- iii. people, activities, and things in, on, or near a public place or place that is open to the public; and
- iv. the enforcement of bylaws made under the *Municipal Government Act* or any other enactment;

AND WHEREAS, the *Agricultural Pests Act*, allows a Municipality to make certain bylaws and appoint Inspectors;

AND WHEREAS, the *Weed Control Act*, allows a Municipality to make certain bylaws and appoint Inspectors;

AND WHEREAS, the *Municipal Government Act* gives the Municipalities the power to enact bylaws and impose fines and penalties for infractions of their bylaws;

NOW THEREFORE, the Municipal Council of Morinville, Alberta duly assembled hereby enacts as follows:

PART 1 – TITLE, RULES FOR INTERPRETATION AND DEFINITIONS

1. TITLE

- 1.1. This Bylaw means and shall be known as the “Community Standards Bylaw”.

2. RULES FOR INTERPRETATION

- 2.1. The table of contents, marginal notes and headings in this bylaw are for reference purposes only.

3. DEFINITIONS

In this bylaw, unless the context otherwise requires:

- 3.1. “**Accumulation**” means the acquisition or gradual gathering of something, typically of something negative and typically leading to a problem.
- 3.2. “**Boulevard**” means the same as defined in the Traffic Safety Act.
- 3.3. “**Chief Administrative Officer (CAO)**” means the Chief Administrative Officer (CAO) of Morinville, Alberta or an employee of the municipality as designated by the Chief Administrative Officer.
- 3.4. “**Council**” means the duly elected officials of the Town of Morinville.
- 3.5. “**Graffiti**” means unwanted or unapproved words, figures, letter or drawings scribbled, scratched, sprayed or applied by any other means on a surface on which they are placed.
- 3.6. “**Highway**” means the same as in the Traffic Safety Act.
- 3.7. “**Motor Vehicle**” means Motor Vehicle as defined in the Traffic Safety Act, amended from time to time.
- 3.8. “**Morinville**” means the Town of Morinville in the Province of Alberta.
- 3.9. “**Occupant**” means a person occupying a property or the person with a Rental Agreement, Lease or permission to use the property.
- 3.10. “**Owner**” means a person who is registered under the Land Titles Act as the owner of a parcel of land.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 2**

- 3.11. **"Peace Officer"** means a member of The Royal Canadian Mounted Police, a Community Peace Officer appointed by Justice and Solicitor General or a Bylaw Enforcement Officer appointed by Morinville.
- 3.12. **"Permit"** means a written permit issued by the CAO and or their designate pursuant to the bylaw.
- 3.13. **"Person"** includes any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative.
- 3.14. **"Property"** includes any lands, buildings, boulevards adjacent to or premises in Morinville or in other cases, personal property.
- 3.15. **"Public Place"** means any place within Morinville to which the public may have either express or implied access.
- 3.16. **"Refuse"** means any item specifically addressed in this bylaw and, junk articles including but not limited to solid wastes, including woods, metals, tires, broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, food containers, food wrappers, grass cuttings, shrubbery and tree pruning's, weeds and garden waste, abandoned vehicles, tires, residential furnishings, household appliances, animal feces, garbage bags and all other discarded materials.
- 3.17. **"Sidewalk"** means the same as defined in the Traffic Safety Act.
- 3.18. **"Violation Tag"** means a ticket or similar document issued by a Peace Officer pursuant to the Municipal Government Act.
- 3.19. **"Violation Ticket"** means a ticket issued by a Peace Officer in accordance with the Provincial Offences Procedure Act.

PART 2 – PROPERTY MAINTENANCE

4. DEFINITIONS

- 4.1. **"Building Material"** means any construction material which may result from the construction, renovation or demolition of any structures and includes, but is not limited to wood, gypsum, board, vinyl siding, metal, bricking, packing material and containers of construction material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation or demolition of any structure.
- 4.2. **"Construction Equipment"** includes but is not limited to a riveting machine, concrete mixer, gravel crusher, steam shovel, dragline, backhoe, air or steam compressor, jack-hammer, pneumatic drill, tractor other than a tractor used in a farming operation, bulldozer, front end loader, motor scraper, motor grader or any other tool, device or machine of a noisy nature.
- 4.3. **"Nuisance"** means that due to its conditions, is detrimental to the use and enjoyment of others, or, may not be pleasing to the sight.
- 4.4. **"Reasonable State of Repair"** means the condition of being:
- 4.4.1. Structurally sound;
 - 4.4.2. Free from damage;
 - 4.4.3. Free from rot or other deterioration;
 - 4.4.4. Protected by paint preservative or other weather resistant material; and
 - 4.4.5. Safe for its intended use.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 3**

4.5. **“Structure”** means but is not limited to a building (including a dwelling, garage, play structure, shed and includes anything constructed or placed on, in, or over or under land), fence, sign, retaining wall, scaffolding, portable shack, or other similar types of construction.

5. VEGETATION

5.1. The owner or occupant of a property shall:

- 5.1.1. Ensure all grass or other similar vegetation does not exceed 15 cm (6”) in height on the property any adjacent boulevards and any grass or other similar vegetation that encroaches onto a public sidewalk. This includes lanes or alleys at the rear of the premises or property;
- 5.1.2. Destroy any restricted or prohibited weed pursuant to the Weed Control Act, or carry out other measures as prescribed by a Peace Officer or Weed Inspector pursuant to the Weed Control Act;
- 5.1.3. Remove and or replace any grass, shrubs, vegetation or trees that are dead or diseased;
- 5.1.4. Remove or prune any trees that due to a deterioration or condition could be a public safety hazard, including lines, poles, conduits, pipes, sewers or other works of the Municipality on their property;
- 5.1.5. Remove or prune any shrub or tree which is or could be a nuisance to any person using a publicly owned or maintained sidewalk or street;
- 5.1.6. Not plant or grow any tree, shrub or vegetation that interferes or could interfere with an intersection or traffic flow adjacent to the property;
- 5.1.7. Not remove or prune trees or shrubs that are the responsibility of Morinville;
- 5.1.8. Not plant trees or shrubs on boulevards without written permission from Morinville. At the sole cost of the owner, Morinville may remove any unauthorized trees or shrubs or require the owner to undertake their removal.

6. BOULEVARDS

- 6.1. Subject to obtaining written permission from Morinville, any person who chooses to utilize any landscape material other than natural grass on the boulevard or any other publicly owned property adjacent to their property assumes responsibility for all maintenance of such landscaping material and the repair of damage to such landscaping material, regardless of cause.
- 6.2. In the event Morinville is responsible for any damage due to repair of public utilities, Morinville will only cover the cost of repair damage with natural grass and shall have no obligation to repair or replace any other landscape material.

7. STRUCTURES

- 7.1. The owner or occupant of a property shall ensure structures and their structural membrane are maintained in a Reasonable State of Repair. This includes, but is not limited to:
 - 7.1.1. Foundations and foundation walls;
 - 7.1.2. Exterior walls and their components including finishing material and paint;
 - 7.1.3. Roofs and façade;
 - 7.1.4. Windows, including frames, shutters and awnings;
 - 7.1.5. Doors, including frames and awnings;
 - 7.1.6. Eaves or other building materials’
 - 7.1.7. Exterior stairs, landings, porches, balconies, patios, play structures, decks and other similar structures;
 - 7.1.8. Finishings, including paint.
- 7.2. The owner or occupant of a property shall ensure fences and are maintained in a Reasonable State of Repair.
- 7.3. If a structure normally intended for human habitation is unoccupied, then any door or window opening in the structure may be covered by the owner or occupant with a solid piece of material but only if the material is:
 - 7.3.1. Installed from the exterior and fitted within the frame of the opening in a watertight manner;
 - 7.3.2. Of a thickness sufficient to prevent unauthorized entry into the structure; and



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 4**

- 7.3.3. The same or similar in colour to the rest of the structure.
- 7.4. The owner of a structure that has been deemed unfit for human habitation by Alberta Health Services, must ensure that the structure either be fully repaired so that it is fit for human habitation or demolished within two years from the date the building was deemed unfit by Alberta Health Services.
- 7.4.1. Any current structures within Morinville that are currently deemed unfit for human habitation will have two years to be fully repaired or demolished from the date of this bylaw becoming in effect.

8. CONSTRUCTION ON A PROPERTY

- 8.1. The owner or occupant of a property under construction shall:
- 8.1.1. Ensure that the property has a waste container through-out the duration of the construction placed on the property, and:
- 8.1.1.1. All waste building materials or debris are fully contained and secured; and
- 8.1.1.2. Is not placed or stored on the street or sidewalk without an approved permit issued by the Town of Morinville.
- 8.1.2. Ensure all building materials that are on the property are stacked or stored in an orderly manner, and;
- 8.1.2.1. Is not placed or stored on the street, sidewalk, or any premises or property owned by the Municipality or other landowners without written permission to do so;
- 8.1.3. Ensure no excavation occurs on the property unless the said excavation is properly secured by fencing or otherwise permitted pursuant to Morinville's Land Use Bylaw;
- 8.1.4. Not allow any accessible excavation, ditch, or drain except in those areas designated and developed for the purpose of holding runoff water; and
- 8.1.5. Ensure there is no standing or stagnant water.

9. PROPERTY MAINTENANCE

- 9.1. The owner or occupant of a property shall:
- 9.1.1. Not allow property to be a nuisance;
- 9.1.2. Not engage in any activity that results in the production of offensive odours, excessive dust or smoke or similar conditions which represent a nuisance to others in the area of the property;
- 9.1.3. Ensure that graffiti placed on their property is removed, painted over or otherwise permanently blocked from the public view within 72 hours of it being deposited;
- 9.1.4. Not have a refrigerator, freezer or other similar appliance outside of a building unless it is on the rear of a property in working condition and effective measures have been taken to prevent the free opening and closing of the appliances;

Refuse and Materials


- 9.2. The owner or occupant of a property shall:
- 9.2.1. Not allow any accumulation of refuse on the property;
- 9.2.2. Not allow the accumulation of anything that creates unpleasant odour;
- 9.2.3. Ensure loose refuse or debris are collected and contained on the property so that they do not escape onto adjacent or other neighbouring properties;
- 9.2.4. Not have an open or exposed storage on the property of any industrial fluid, including engine oil, brake fluid or anti-freeze;
- 9.2.5. Not allow the accumulation of hazardous materials;
- 9.2.6. Not allow an accumulation of machine parts or miscellaneous pieces of equipment.

Pests and Animals

- 9.3. The owner or occupant of a property shall:
- 9.3.1. Not allow any pests as defined in the Agricultural Pests Act and Agricultural Pests Regulation on their property;
- 9.3.2. Not allow the accumulation of any material likely to attract animals, pests or wildlife;
- 9.3.3. Not allow the accumulation of animal remains or parts of animal remains.



Mayor



CAO

TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 5

Water and Eavestroughs

9.4. The owner or occupant of a property shall:

- 9.4.1. Not allow flow of water from a hose or similar device on the property be directed towards an adjacent property if it is likely that the water from the hose or similar device will enter the adjacent property;
- 9.4.2. Direct any rainwater downspout or eavestrough on the property toward the front or rear of the property or a side yard which does not abut another property;
- 9.4.3. Not allow flow of water from a hose or similar device, downspout, or eavestrough to be directed over a public sidewalk or highway;
- 9.4.4. Not allow sump pumps to extend on the property more than reasonably practicable to allow for drainage away from the structure to occur. Sump pumps shall not be extended to the property line to allow for drainage onto an adjacent property or onto sidewalk or highway;
- 9.4.5. Obey all water use instructions from the Municipality.

PART 3 – VEHICLES AND TRAILERS

10. DEFINITIONS

In this section:

10.1. **“Junked Vehicle”** means a vehicle that:

- 10.1.1. Is in a wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition, or is determined to not be roadworthy.
- 10.1.2. Section 10.1.1 does not apply to:
 - 10.1.2.1. Junked vehicles located on a property that has a valid development permit for purposes related to the repair or storage of vehicle(s), or
 - 10.1.2.2. Junked vehicle that are located wholly in an enclosed structure.

10.2. **“Recreational Vehicle”** means a vehicle, trailer, watercraft or off road vehicle that is utilized for recreational or work purposes and includes but is not limited to: any motor home, travel trailer, tent trailer, watercraft and trailer, fifth wheel trailer, a camper when it is not mounted on a truck, but placed on the ground, utility trailer or any similar vehicles, or any other vehicles as determined by a Peace Officer to be considered for recreation or work purpose.

11. The owner or occupant of a property shall not:

- 11.1. Have more than one junked vehicle on any part of a property;
- 11.2. Allow an accumulation of vehicle parts or equipment;
- 11.3. Allow a recreation vehicle to extend onto the roadway or over a sidewalk including the use of slide outs;
- 11.4. Use or permit the use of a recreation vehicle for human habitation or as a residence;
- 11.5. Park any motor vehicles, recreational vehicles or such other vehicles and trailers which are similar to the foregoing, unless the vehicles or trailer is located wholly within a hard-surface parking area within an area approved for parking under the Land Use Bylaw;
- 11.6. Keep on a residential property, any vehicle of a gross vehicle weight (GVW) in excess of 5,500kg (12,125lbs) for longer than is reasonably necessary to load or unload the vehicle.

PART 4 – PUBLIC BEHAVIOR

12. DEFINITIONS

In this part:

- 12.1. **“Defecate”** shall mean to discharge waste matters from the bowels.
- 12.2. **“Indecent Act”** shall mean nakedness, sexual or lewd activity in public.
- 12.3. **“Urinate”** shall mean to discharge urine from the body.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 6**

- 12.4. **"Litter"** shall mean to throw, place or deposit refuse on any private or public land within Morinville.
- 12.5. **"Loiter"** shall mean to linger aimlessly or stand idly in or about a place or area.
- 12.6. **"Panhandle" or "Panhandling"** shall mean a request or solicitation made verbally or otherwise for the gratuitous provision of money or goods from another person, but, does not include a solicitation allowed or authorized pursuant to the *Charitable Fund Raising Act, S.A. 1995 c.4.5*
- 12.7. **"Projectile"** shall mean any physical article capable of being launched or propelled including but not limited to firearms, stones, rockets, golf balls and arrows.
- 12.8. **"Public Nuisance"** shall mean an act or omission that obstructs, damages or inconveniences the rights of others.
13. No person shall do the following:
- 13.1. Litter;
 - 13.2. Cause a public nuisance;
 - 13.3. Disobey a directive sign placed in a public facility or public park;
 - 13.4. Disobey a directive sign placed for the use of storm ponds;
 - 13.5. Obstruct the free use or enjoyment of a person using a public facility;
 - 13.6. Panhandle in an aggressive manner in any public place; including by:
 - 13.6.1. Obstructing or impeding the passage of another person;
 - 13.6.2. Making continued requests or solicitations after receiving a negative response from another person;
 - 13.6.3. Insulting, threatening, coercing or intimidating another person;
 - 13.6.4. Making physical contact with another person; or
 - 13.6.5. Being intoxicated by alcohol or under the influence of non-prescription drugs;
 - 13.7. Loiter;
 - 13.8. Participate or engage in a fight or other similar physical confrontation in a public place;
 - 13.9. Urinate or Defecate in public except in a facility designed and intended for such use;
 - 13.10. Perform indecent acts in a public place;
 - 13.11. Deposit commercial flyers on a premises or property where signs or notices have been posted and are clearly visible at the entrance to a premise or property indicating that such material is not wanted;

Enjoyment of Property

14. No person, owner or occupant shall do the following:
- 14.1. Cause a Closed Circuit Television (CCTV) or Security Camera System or other video surveillance or recording device, to film or record inside another persons dwelling or otherwise impede or interfere with another's property;
 - 14.2. Point or shine direct outdoor light into the living or sleeping areas of an adjacent dwelling house;
 - 14.2.1. An outdoor light shall not constitute a violation of this subsection if the owner or occupant of the property shields the light from pointing or shining directly at the living or sleeping areas of the adjacent dwelling house.

Projectiles

15. No person shall do the following:
- 15.1. Cause or permit a projectile or object, or act in any other way, in a public place that is reasonably likely to cause injury to another person or damage property;
 - 15.2. Cause or permit projectiles on private property, unless a facility on the property is designed for its purpose.

Damage

16. No person shall do the following:
- 16.1. Create or apply graffiti;
 - 16.2. Vandalize/damage any Morinville Municipal property; including any facilities, parks, bathrooms or other property;
 - 16.3. Damage or destroy any wildlife habitat on public property.



Mayor



CAO

TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 7

PART 5 – NOISE

17. DEFINITIONS

- 17.1. “**Court**” means the Provincial Court of Alberta;
- 17.2. “**Daytime Hours**” means all hours outside of Quiet Hours;
- 17.3. “**dBa**” means the intensity of noise as measured in decibels in the “A” scale of a noise level meter when the said meter is set on the “A” weighted network and on the fast response;
- 17.4. “**Emergency Vehicle**” means:
- 17.4.1. An emergency vehicle as defined in the Traffic Safety Act;
 - 17.4.2. A vehicle operated as a gas, power or water disconnection unit of a public utility;
 - 17.4.3. A vehicle designated by regulation as an emergency response unit; or
 - 17.4.4. A helicopter, airplane or drone used by a peace officer or by emergency response service personnel;
- 17.5. “**Holiday**” means the same as defined in the Interpretation Act;
- 17.6. “**Operator**” means a Person who drives a vehicle or operates equipment;
- 17.7. “**Outdoor Public Address System**” means a sound transmission system (or any separate component thereof) used primarily as an outdoor audio communication device, including a business intercom or a sound amplification device used in conjunction with a public event;
- 17.8. “**Quiet Hours**” means:
- 17.8.1. Monday through Friday between 10:00 pm and 7:00 am (local time)
 - 17.8.2. Saturday Sunday and Holidays between 10:00 pm and 9:00 am (local time);
- 17.9. “**Residential District**” is as referenced or defined in the Land Use Bylaw;
- 17.10. “**Traffic Safety Bylaw**” means Morinville’s Traffic Safety Bylaw and includes any amendments thereto or replacement thereof;

GENERAL PROHIBITION

Unreasonably Loud, Raucous or Unusual Sounds

18. Except to the extent permitted in this Bylaw, no Person, Owner or Occupant shall make, continue, cause or permit to be made or continue any unreasonably loud, raucous or unusual sound which annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of any other person of ordinary sensitivity.
- 18.1. Factors for determining if a sound is unreasonably loud, raucous or unusual include the following:
- 18.1.1. Proximity of the sound to sleeping facilities or accommodations, whether residential or commercial;
 - 18.1.2. The time of day or night the sound occurs;
 - 18.1.3. The duration and volume of the sound; and
 - 18.1.4. Whether the sound is recurrent, intermittent or constant.
19. A court may enter a conviction against a Person who violates Section 18 notwithstanding that the Person has not exceeded a maximum dBA level specified in this Bylaw.


Mayor


CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 8**

Daytime Restrictions

20. No Person, Owner or Occupant shall cause, or permit to be caused, sounds that may be heard in a Residential District during Daytime Hours at a level greater than 65 dBA unless such sounds are of a temporary or intermittent nature and:
- 20.1. Where such sounds measure from 66 to 70 dBA, last for no more than 2 hours (of elapsed time during a calendar day's Daytime Hours);
 - 20.2. Where such sounds measure from 71 to 75 dBA, last for no more than 1 hour (of elapsed time during a calendar day's Daytime Hours);
 - 20.3. Where such sounds measure from 76 to 80 dBA, last for no more than 30 minutes (of elapsed time during a calendar day's Daytime Hours);
 - 20.4. Where such sounds measure from 81 to 85 dBA, last for no more than 15 minutes (of elapsed time during a calendar day's Daytime Hours).
21. No Person, shall cause, or permit to be caused, sounds that may be heard in a Residential District during Daytime Hours at a level in excess of 85 Dba.

Quiet Hours (General)

22. No Person, Owner or Occupant shall cause, or permit to be caused, sounds that may be heard in a Residential District during Quiet Hours at a level in excess of 50 Dba.

Construction Work

23. No person shall carry on, or permit to be carried on, in a Residential District during Quiet Hours, construction, repair, alteration, or demolition work such that sounds produced therefrom, including those produced by hammering, sawing, drilling and the use of any power tools or construction equipment, may be heard beyond the property line or boundary of the site upon which the activity is being carried out.

Outdoor Maintenance Work

24. No person shall operate or permit to be operated during Quiet Hours any power lawn equipment, power garden maintenance equipment, or power snow-clearing equipment.

Outdoor Public Address Systems

25. No person shall operate, or permit to be operated, an Outdoor Public Address System, at any level, such that sounds emitted therefrom may be heard within a Residential District at a level in excess of 50 Dba.

EXEMPTIONS

Specific Exemptions

26. The Restrictions of Part 5 of this Bylaw do not apply to:
- 26.1. A person operating an Emergency Vehicle in the normal course of that Persons employment;
 - 26.2. A Person acting in the normal course of that person's employment as a Morinville Employee (or as an agent under contract by Morinville); and
 - 26.3. The normal operation of a bell or buzzer of a school building or religion establishment.

PART 6 – PARKLAND

27. DEFINITIONS

- 27.1. "**Campground**" means a park or a portion of a park that has been designated by Morinville where overnight camping is permitted.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 9**

27.2. "**Parkland**" means any property, whether developed or not, owned, controlled or maintained by Morinville that is:

- 27.2.1. Intended to be used by members of the public for recreation and general enjoyment including the trail system and pathways;
- 27.2.2. Preserved as a natural area;
- 27.2.3. Zoned as a Park; or
- 27.2.4. Designated as a municipal reserve, environmental reserve or a public utility lot pursuant to the Municipal Government Act.

27.3. "**Storm Water Pond**" means an area designated to temporarily store excess flow in a drainage system.

28. No person shall do the following in a parkland:

- 28.1. Enter or be in any parkland between the hours of 11:00 pm and 5:00 am; or at any time when an area of parkland is closed.
 - 28.1.1. The CAO, or designate, may temporarily close an area of parkland to public use and where so ordered, a sign shall be posted to that effect.
 - 28.1.2. No person shall be in violation of this section if he or she is attending a function or event approved by the CAO, or designate;
- 28.2. Leave a motor vehicle in any parkland between the hours of 11:00 pm and 5:00 am; or at any time when an area of parkland is closed;
- 28.3. Build a structure, whether permanent or temporary, set up any form of temporary abode or otherwise camp in parkland except in a campground unless prior written approval has been obtained by the CAO, or designate;
- 28.4. Operate a boat powered by a motor upon any body of water in a park or upon any storm water pond;
- 28.5. Start or permit to be started any fire in a parkland area unless it is confined to a fireplace or appliance provided in a park for that purpose. Any such fires must not be left unattended;
- 28.6. Offer for sale or sell any goods or service in any parkland without a permit.

PART 7 - PERMITS

- 29. A person may make written application to the CAO, or designate, for a permit allowing for activities that would otherwise violate this Bylaw.
- 30. A person to whom a permit has been issued pursuant to this bylaw, and any person carrying out an activity otherwise regulated, restricted or prohibited by this bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.
- 31. A person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this bylaw.
- 32. If any term or condition of a permit issued pursuant to this bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, the person who approved the permit, or their designate may immediately cancel the permit.
- 33. The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.
- 34. Any written application to the CAO, or designate, pursuant to section Part 6 must be made at least 15 business days prior to the event or activity and must be in a form approved by the CAO, or designate.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 10**

PART 8 – POWERS OF PEACE OFFICERS

35. Without restricting any other power, duty or function granted by this bylaw, a Peace Officer may:
- 35.1. Carry out any inspections to determine compliance with this bylaw, including entering into any premises or property after giving reasonable notice to the owner or occupant of the premises or property to be inspected;
 - 35.2. Take any steps or carry out any actions required to enforce this bylaw;
 - 35.3. Take any steps or carry out any actions required to remedy a contravention of this bylaw;
 - 35.4. Establish investigation and enforcement procedures with respect to property and such procedures may differ depending on the type of property in question;
 - 35.5. Establish forms for the purpose of this bylaw;
 - 35.6. Issue permits with such terms and conditions as are deemed appropriate in accordance with the bylaw;
 - 35.7. Establish the criteria to be met for a permit pursuant to this bylaw;
 - 35.8. Delegate any powers, duties or functions under this bylaw to an employee of the Town of Morinville;
 - 35.9. Measure sound levels with an approved device only if it is being operated in accordance with the manufacturer's operating guide and shall be taken from outside the property from which the sound is emanating.

PART 9 – PENALTIES, VIOLATIONS, APPEALS AND OBSTRUCTION

36. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000 and in default of payment of any fine imposed, to imprisonment for not more than one year, or both.
37. Any person who contravenes any provision of this bylaw is guilty of an offence and liable to a minimum penalty as set out in Schedule "A".
38. 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 said person is liable in accordance with this bylaw or pursuant to the *Municipal Government Act*.
39. Where a contravention of this bylaw is of a continuing nature, each day such contravention continues shall constitute a new and separate offence, and a violation tag or violation ticket may be issued for each day such offence continues.

VIOLATION TAGS AND TICKETS

40. A peace officer may issue a violation tag to any person whom the peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
41. If the violation tag is not paid within the prescribed time period, the peace officer may issue a violation ticket.
42. Notwithstanding section 41 of this Bylaw, a peace officer may immediately issue a violation ticket to any person whom the peace officer has reasonable grounds to believe has contravened any provision of this bylaw.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 11**

43. Where a Peace Officer believes that any person has contravened any section of this bylaw, they may serve upon such person a violation ticket in the form and manner as prescribed by the provisions of the Provincial Offences Procedure Act, Chapter P-34, RSA 2000, and all amendments thereto.

OBSTRUCTION

44. A person shall not obstruct or hinder a Peace Officer in the exercise or performance of the Peace Officers duties pursuant to this bylaw.

PART 10 – ORDERS BY PEACE OFFICER AND SERVICE OF NOTICE

ORDERS

45. Where premises or property are found to be in violation of any provisions of this Bylaw, the Peace Officer may in accordance with Section 545 of the Municipal Government Act issue a written order to the owner of the premises or property to remedy the condition on the premises or property which violates this Bylaw.

46. An order written may:

46.1. Direct a person to stop doing something, or to change the way in which the person is doing it

46.2. Direct a person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a structure that has been erected or placed in contravention of a bylaw, and, if necessary, to prevent a re-occurrence of the contravention;

46.3. State a time within which the person must comply with the directions;

46.4. State that if the person does not comply with the directions within a specified time, the municipality will take the action or measures at the expense of the person.

46.5. Require the owner of a structure in disrepair to eliminate the danger to public safety in the matter specified, or remove and demolish the structure and level the site;

46.6. Require the owner of the premises or property that contains the excavation or hole to eliminate the danger to public safety in the manner specified, or fill in the excavation or hole and level the site;

46.7. Require the owner of the premises or property to relocate or remove any vehicle, including recreational vehicles and junked vehicles, that does not comply with this bylaw in the manner specified in the order;

46.8. Require the owner of the premises or property to improve the condition of the premises or property in the manner specified in the order or if the premises or property is a structure, to remove or demolish the structure and level the site; and/or,

46.9. Require the owner, occupant of the premises or property to remove graffiti to improve the appearance of the premises or property in the manner specified in the order.

47. The Peace Officer shall give reasonable notice from the date of the notice being issued for compliance with the notice. During this period for compliance, a person may appeal the notice pursuant to Part 11 of this Bylaw.

48. Any Owner or occupant that fails to comply with a written order made under this bylaw is guilty of an offence.



Mayor



CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 12**

SERVICE OF NOTICE

49. A notice by a Peace Officer shall be deemed to be sufficiently served if:

- 49.1. Served personally on the individual or corporation named in the order;
- 49.2. Mailed to the last known address of the registered owner of premises or property, or to the person concerned;
- 49.3. It is left with a person apparently over the age of 16 years at the place of abode of the person to whom the notice is addressed;
- 49.4. It is posted in a conspicuous place on the premises or property referred to on the notice; or,
- 49.5. If in the opinion of a Peace Officer, service of the written order cannot be reasonably affected, or if the Peace Officer believes that the owner of the premises or property is evading service, or on the private dwelling place of the owner of the premises or property, and the written order shall be deemed to be served upon the expiry of three (3) days after the written order is posted.

PART 11 – APPEALS

- 50. A person who receives a written notice/order to comply with a section pursuant to this Bylaw may, by written notice within 14 days after the date the order is received, request Council to review the order.
- 51. After reviewing the order, Council may confirm, change, substitute or cancel the order.
- 52. This subsection does not apply to violation tags or violation tickets written by a Peace Officer.
- 53. If a person considers themselves aggrieved by a decision under Part 10, they may appeal the decision to the Court of Queen's Bench pursuant to section 548 of the Municipal Government Act.

PART 12 - SEVERABILITY

- 54. If any section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

PART 13 – TRANSITIONAL

The following bylaws are repealed:


- (a) Bylaw 13/2017, Community Standards Bylaw;
- (b) Bylaw 17/2010, Parkland Bylaw;
- (c) Bylaw 8/2010, Noise Control Bylaw;
- (d) Bylaw 21/2008, Vandalism Bylaw;
- (e) Bylaw 15/2010, Firearms Bylaw.

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

Read a first time this 14th day of January, 2020

Read a second time this 25th day of February, 2020

Read a third time and finally passed this 25th day of February, 2020



Barry Turner
Mayor


Stephane Labonne
Chief Administrative Officer

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 13**

Schedule A - Penalties

Section	Description	Specified Penalty	Second Offence Within One Year
	VEGETATION		
5.1.1	Vegetation exceed maximum length	\$250	\$500
5.1.2	Fail to destroy restricted/prohibited weed	\$250	\$500
5.1.3	Fail to remove dead/diseased vegetation	\$250	\$500
5.1.4	Fail to remove/prune tree/shrub that causes a public safety hazard	\$250	\$500
5.1.5	Fail to remove/prune tree that interferes with sidewalk/street	\$250	\$500
5.1.6	Plant tree/shrub/vegetation that interferes with an intersection/traffic flow	\$250	\$500
5.1.7	Remove/prune trees that are the responsibility of Morinville	\$250	\$500
5.1.8	Plant tree/shrub on boulevard without permission	\$250	\$500
	STRUCTURES		
7.1.1	Fail to maintain foundations and foundations walls in a Reasonable State of Repair	\$250	\$500
7.1.2	Fail to maintain exterior walls and components in a Reasonable State of Repair	\$250	\$500
7.1.3	Fail to maintain roofs and façade in a Reasonable State of Repair	\$250	\$500
7.1.4	Fail to maintain windows in a Reasonable State of Repair	\$250	\$500
7.1.5	Fail to maintain Doors in a Reasonable State of Repair	\$250	\$500
7.1.6	Fail to maintain eaves in a Reasonable State of Repair	\$250	\$500
7.1.7	Fail to maintain exterior stairs, landing, decks and other similar structures in a Reasonable State of Repair	\$250	\$500
7.1.8	Fail to maintain finishing's in a Reasonable State of Repair	\$250	\$500
7.2	Fail to maintain fence in a Reasonable State of Repair	\$250	\$500
7.3	Fail to properly cover doors/window of an unoccupied structure with solid material	\$250	\$500
7.4	Fail to repair or demolish a structure deemed unfit for human habitation within two years	\$1500	N/A
	CONSTRUCTION ON A PROPERTY		
8.1.1	Fail to ensure a waste container on the property under construction	\$250	\$500
8.1.1.1	Fail to ensure waste building material/debris are contained/secured in a waste container	\$250	\$500
8.1.1.2	Place or store waste container on street or sidewalk	\$250	\$500



Mayor


CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 14**

8.1.2	Fail to ensure all building materials are stacked or stored in an orderly manner	\$250	\$500
8.1.2.1	Place or store building materials on street or sidewalk	\$250	\$500
8.1.3	Improperly excavate on property	\$250	\$500
8.1.4	Allow accessible excavation	\$250	\$500
8.1.5	Have standing or stagnant water on property	\$250	\$500
	PROPERTY MAINTENANCE		
9.1.1	Have a nuisance property	\$250	\$500
9.1.2	Engage in activities that result in offensive odours, excessive dust or smoke	\$250	\$500
9.1.3	Fail to remove graffiti within 72 hours	\$250	\$500
9.1.4	Have appliance in prohibited area	\$250	\$500
9.2.1	Permit an accumulation of refuse on property	\$250	\$500
9.2.2	Permit an accumulation of anything that creates unpleasant odours	\$250	\$500
9.2.3	Fail to ensure loose refuse or debris is contained on the property	\$250	\$500
9.2.4	Fail to stack or store building materials orderly	\$250	\$500
9.2.5	Have an open or exposed storage of industrial fluid	\$250	\$500
9.2.6	Have an accumulation of hazardous materials	\$250	\$500
9.3.1	Fail to remove pests	\$250	\$500
9.3.2	Permit the accumulation of material likely to attract pests or animals	\$250	\$500
9.3.3	Permit the accumulation of animal remains or parts of animal remains	\$250	\$500
9.4.1	Permit water to be directed to adjacent property	\$250	\$500
9.4.2	Permit downspout or eavestrough to go be directed to incorrect location	\$250	\$500
9.4.3	Permit water to be directed over sidewalk or onto highway	\$250	\$500
9.4.4	Permit sump pump to extend to improper location	\$250	\$500
9.4.5	Fail to obey water use instructions	\$1000	\$2500
	Vehicles and Trailers		
11.1	Permit more than one junked vehicle	\$250	\$500
11.3	Permit a recreation vehicle to extend onto the roadway or sidewalk	\$250	\$500
11.4	Permit the use of a recreation vehicle as a dwelling unit	\$250	\$500



Mayor


CAO

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
BYLAW 5/2019
COMMUNITY STANDARDS BYLAW
PAGE 15**


11.5	Fail to park motor vehicle, recreation vehicle or trailer wholly on hard surface parking area	\$250	\$500
11.6	Permit on residential property a vehicle over 5,500KG longer than necessary to load or unload	\$250	\$500
	PUBLIC BEHAVIOUR		
13.1	Litter	\$250	\$500
13.2	Cause a public nuisance	\$250	\$500
13.3	Disobey a directive sign at public facility/park	\$250	\$500
13.4	Disobey a directive sign for storm ponds	\$250	\$500
13.5	Obstruct a person from using a public facility	\$250	\$500
13.6	Panhandle in an aggressive manner	\$250	\$500
13.7	Loiter	\$250	\$500
13.8	Participate or engage in a fight in public	\$500	\$1000
13.9	Urinate or Defecate in public	\$250	\$500
13.10	Perform indecent acts in public	\$250	\$500
13.11	Deposit flyers where prohibited	\$250	\$500
14.1	Cause CCTV cameras to impede or interfere with another's property	\$250	\$500
14.2	Point or shine direct outdoor light into living/sleeping areas of a dwelling	\$250	\$500
15.1	Cause a projectile in a public place	\$250	\$500
15.2	Cause a projectile on private property	\$250	\$500
16.1	Create or apply graffiti	\$250	\$500
16.2	Vandalize/Damage Morinville Municipal Property	\$1000	\$2500
16.3	Damage or destroy wildlife habitat on public property	\$250	\$500
	NOISE		
18.	Cause or permit unreasonable noise	\$250	\$500
20.	Exceed decibel reading during daytime hours	\$250	\$500
21.	Exceed 85 DbA in residential district during daytime hours	\$500	\$1000
22.	Exceed 50 DbA in residential district during quiet hours	\$250	\$500
23.	Permit construction noise during quiet hours	\$250	\$500
24.	Permit outdoor maintenance equipment during quiet hours	\$250	\$500



Mayor


CAO

TOWN OF MORINVILLE
 PROVINCE OF ALBERTA
 BYLAW 5/2019
 COMMUNITY STANDARDS BYLAW
 PAGE 16

25.	Operate Public Address System in Residential District in excess of 50 Dba	\$250	\$500
	PARKLAND		
28.1	Enter in parkland when parkland closed	\$250	\$500
28.2	Leave motor vehicle in parkland when closed	\$250	\$500
28.3	Build stricker or camp in parkland where prohibited	\$250	\$500
28.4	Operate powered boat in park or storm water pond	\$250	\$500
28.5	Start or Permit fire in parkland in prohibited area	\$250	\$500
28.6	Sell goods or service in park without permit	\$250	\$500
	OBSTRUCTION		
44.	Obstruct or hinder Peace Officer	\$1000	\$2500
	ORDERS		
48.	Fail to comply with a written order	\$500	\$1500


 Mayor


 CAO